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1979(H)
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HOUSE JOURNAL

OF THE

Forty-Sixth Legislature

OF THE

STATE OF MONTANA

VOLUME I

MONTANA LEGISLATIVE COUNCIL
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**Held at Helena, the Seat of Government
Commencing in Regular Session January 3, 1979,
and Ending April 20, 1979.**

Harold E. Gerke
Speaker of the House

Martha B. McGee
Chief Clerk of the House

Journal Clerk
Jo Ann Owens

Data Entry Clerks
Nancy Ritz
Valerie Kinsey

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THE MONTANA LEGISLATIVE COUNCIL

HOUSE JOURNAL

OF THE

Forty-Sixth Legislature

OF THE

State of Montana

Commencing in Regular Session

January 3, 1979, and Ending April 20, 1979

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Helena, Montana 59601

Diana S. Dowling
Executive Director

3

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MONTANA LEGISLATIVE COUNCIL
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OFFICERS AND MEMBERS OF THE MONTANA HOUSE OF REPRESENTATIVES 1979

REF
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295
1979(H)
v. I

100 Members

55 Democrats
45 Republicans

87 Men
13 Women

OFFICERS

Speaker ..... Harold E. Gerke
Speaker Pro Tempore ..... Joe Brand
Majority Floor Leader ..... Ann Mary Dussault
Majority Whip ..... John Vincent
Minority Floor Leader ..... Jack Ramirez
Minority Whip ..... Robert Sivertsen
Chief Clerk ..... Martha B. McGee

MEMBERS

NAME	RESIDENCE OR MAILING ADDRESS	DIST. NO.	COUNTY OF RESIDENCE	POLITICS
Anderson, Robert Lewis	Box 8, Bigfork 59911	16	Flathead	Republican
Azzara, James	305 S. 4th West, Missoula 59801	96	Missoula	Democrat
Baeth, William R. (Bill)	805 Minnesota Ave., Libby 59923	21	Lincoln	Democrat
Bardanouve, Francis	Route 1, Box 124, Harlem 59526	6	Blaine	Democrat
Bengtson, Esther G.	Shepherd 59079	59	Yellowstone	Democrat
Bennett, W. F.	P.O. Box 1516, Columbia Falls 59912	15	Flathead	Republican
Bertelsen, Verner L.	Rural Route, Ovando 59854	27	Powell	Republican
Brand, Joe	800 Montana Avenue, Deer Lodge 59722	28	Powell	Democrat
Burnett, James H. "Jim"	Luther 59051	71	Carbon	Republican
Conroy, Thomas R.	607 W. 3rd Street, Hardin 59034	58	Big Horn	Democrat
Cooney, Mike	P.O. Box 3331, Butte 59701	83	Silver Bow	Democrat
Curtiss, Aubyn A.	Box 102, Fortine 59918	20	Lincoln	Republican
Daily, Fred (Fritz)	1057 West Steel, Butte 59701	87	Silver Bow	Democrat
Dassinger, E. N. (Ernie)	Box 206, Forsyth 59327	50	Rosebud	Democrat
Day, William M. (Willie)	Bloomfield Route, Glendive 59330	54	Dawson	Democrat
Donaldson, Eugene C. (Gene)	3890 Helberg Drive, Helena 59601	29	Lewis and Clark	Republican
Dozier, Robert	3923 3rd Avenue S., Billings 59101	61	Yellowstone	Democrat
Dussault, Ann Mary	P.O. Box 8207, Missoula 59807	95	Missoula	Democrat
Ellerd, Robert A.	2206 Bridger Drive, Bozeman 59715	75	Gallatin	Republican
Ellis, Howard L.	Rt. #4, Piltzville, Missoula 59801	93	Missoula	Republican
Ellison, Orval S.	West Boulder Rt., McLeod 59052	73	Park	Republican
Ernst, Gene N.	Box 39, Stanford 59479	47	Judith Basin	Republican
Eudaily, Ralph S.	234 Kensington Ave., Missoula 59801	100	Missoula	Republican
Fabrega, Jay	812 Grizzly Drive, Great Falls 59404	44	Cascade	Republican
Fagg, Harrison G.	1414 Mystic Drive, Billings 59102	63	Yellowstone	Republican
Feda, G. C. "Jerry"	206 2nd Avenue N., Glasgow 59230	4	Valley	Republican
Frates, Gene	1601 Bitterroot Drive, Billings 59101	60	Yellowstone	Democrat
Gerke, Harold E.	202 Mtn. View Blvd., Billings 59101	62	Yellowstone	Democrat
Gesek, Patricia E.	211 Central Ave., Whitefish 59937	19	Flathead	Democrat
Gilligan, Peter J., Jr.	P.O. Box 6413, Great Falls 59406	38	Cascade	Democrat
Gould, R. Budd	2121 35th Avenue, Missoula 59801	98	Missoula	Republican
Hand, Bill	P.O. Box 1298, Dillon 59725	82	Beaverhead	Democrat
Harper, Hal	221 South Cooke, Helena 59601	30	Lewis and Clark	Democrat
Harrington, Dan W.	1201 N. Excelsior, Butte 59701	88	Silver Bow	Democrat
Hayne, Harriet	P.O. Box 285, Dupuyer 59432	14	Pondera	Republican
Hemstad, Andrea "Andy"	P.O. Box 1314, Great Falls 59403	40	Cascade	Republican

HOUSE OF REPRESENTATIVES

(Continued)

Hirsch, Les J.	Broadus Stage, Miles City 59301	52	Custer—Democrat
Holmes, Polly	1620 Avenue F, Billings 59102	67	Yellowstone—Democrat
Huennekens, Herb	3216 Rimrock Rd., Billings 59102	68	Yellowstone—Democrat
Hurwitz, Burt L.	Box 304, White Sulphur Springs 59645	45	Meagher—Republican
Iverson, Dennis	Box 66, Whitlash 59545	9	Liberty—Republican
Jensen, William Ray	P.O. Box 73, St. Ignatius 59865	25	Lake—Republican
Johnson, Vicki	Star Rt., Whitebird, Columbus 59019	72	Stillwater—Democrat
Johnston, George R.	504-3rd St. S.E., Cut Bank 59427	13	Glacier—Democrat
Kanduch, Joe F., Sr.	Barker Creek, Anaconda 59711	89	Deer Lodge—Democrat
Keedy, Michael H.	498 Van Sant Road, Kalispell 59901	18	Flathead—Democrat
Kemmis, Daniel	P.O. Box 8687, Missoula 59807	94	Missoula—Democrat
Kessler, Gerald R.	34 Avenue B, Billings 59101	66	Yellowstone—Democrat
Keyser, Kerry	Box 126, Ennis 59729	81	Madison—Republican
Kropp, Paul K.	Box 520, Malta 59538	5	Phillips—Republican
Kvaalen, Oscar S.	Lambert 59243	53	Richland—Republican
Lien, Edward	SR 231, Box A33, Wolf Point 59201	49	McCone—Democrat
Lory, Earl C.	4795 Miller Creek Rd., Missoula 59801	99	Missoula—Republican
Lund, Art	Box 806, Scobey 59263	2	Daniels—Republican
McBride, Kathleen	3111 Carter Street, Butte 59701	85	Silver Bow—Democrat
Magone, Joseph M.	Rt. 1, Box 5, Superior 59872	24	Mineral—Democrat
Manning, Richard E.	810 7th Avenue N., Great Falls 59401	35	Cascade—Democrat
Manuel, Rex	R.R. 1, Box 42, Fairfield 59436	11	Teton—Democrat
Marks, Robert L. (Bob)	Box 116, Clancy 59634	80	Jefferson—Republican
Menahan, William (Red)	1304 W. 5th Street, Anaconda 59711	90	Deer Lodge—Democrat
Metcalf, Jerry	201 Vawter Street, Helena 59601	31	Lewis and Clark—Democrat
Meyer, Darryl	5306 4th Avenue S., Great Falls 59405	42	Cascade—Republican
Moore, Jack K.	1200 32nd Street S.#85, Great Falls 59405	41	Cascade—Republican
Nathe, Dennis G.	Redstone 59257	1	Sheridan—Republican
Nordtvedt, Kenneth L., Jr.	118 Sourdough Ridge, Bozeman 59715	77	Gallatin—Republican
Oberg, Danny	612 16th Street, Havre 59501	8	Hill—Democrat
O'Connell, Helen G.	703 4th Avenue S.W., Great Falls 59404	34	Cascade—Democrat
Pavlovich, Robert J. "Bob"	1375 Harrison Avenue, Butte 59701	86	Silver Bow—Democrat
Pistoria, Paul G.	2421 Central Ave., Great Falls 59401	39	Cascade—Democrat
Porter, Howard C.	2412 Ash Street, Billings 59101	65	Yellowstone—Republican
Quilici, Joe	3040 Kossuth, Butte 59701	84	Silver Bow—Democrat
Ramirez, Jack	4042 Pine Cove Road, Billings 59102	64	Yellowstone—Republican
Reichert, Arlyne	1409 4th Ave S., Great Falls 59405	37	Cascade—Democrat
Robbins, Hershel M.	915 1st St. East, Roundup 59072	46	Musselshell—Democrat
Robbins, Ken	Conner 59827	91	Ravalli—Democrat
Rosenthal, Jonas H.	206 8th St. N., Apt. 12, Great Falls 59401	43	Cascade—Democrat
Roth, Audrey	P.O. Box 489, Big Sandy 59520	10	Chouteau—Republican
Sales, Walter R.	R.R. 1, Box 25, Manhattan 59741	79	Gallatin—Republican
Schultz, James M.	1210 7th Ave. N., Lewistown 59457	48	Fergus—Republican
Scully, John P.	P.O. Box 1172, Bozeman 59715	76	Gallatin—Democrat
Seifert, Carl A.	Route 1, Box 45B, Polson 59860	26	Lake—Republican
Shelden, Arthur H. (Art)	Route 1, Box 1650, Libby 59923	22	Lincoln—Democrat
Sivertsen, Robert	Box 2226, Havre 59501	7	Hill—Republican
Smith, Carl M.	Olive 59343	57	Powder River—Republican
South, Carroll V.	506 Miss. Avenue, Miles City 59301	51	Custer—Democrat
Spilker, Barbara J. (Bobby)	801 Harrison Ave., Helena 59601	32	Lewis and Clark—Republican
Staigmiller, John B.	P.O. Box 422, Cascade 59421	33	Cascade—Democrat
Stobie, Chris H.	Eddy Route 2, Box 44, Thom. Fls. 59873	23	Sanders—Republican
Teague, Wes	336 Monroe, Billings 59101	69	Yellowstone—Democrat
Thoft, Bob	Rural Rt. 1, Box 45, Stevensville 59870	92	Ravalli—Republican
Tropila, Joe	209 2nd St. N.W., Great Falls 59404	36	Cascade—Democrat
Uhde, Jack Brian	721 3rd Street W., Kalispell 59901	17	Flathead—Democrat
Underdal, Melvin	Box 605, Shelby 59474	12	Toole—Republican
Vincent, John	209 East Lamme, Bozeman 59715	78	Gallatin—Democrat
Vinger, Orren C.	517 Johnson, Wolf Point 59201	3	Roosevelt—Republican
Waldron, Steve	2344 West Kent, Missoula 59801	97	Missoula—Democrat
Williams, J. Melvin "Mel"	511 8th Ave., P.O. Box 245, Laurel 59044	70	Yellowstone—Democrat
Wood, L.E. (Gene)	221 River Ave., Glendive 59330	55	Dawson—Republican
Wyrick, Harold A.	Rural Route 3, Baker 59313	56	Fallon—Republican
Yardley, Dan	P.O. Box 482, Livingston 59047	74	Park—Democrat

HOUSE STANDING COMMITTEES

Agriculture, Livestock and Irrigation

10 DEM., 7 REP.

Day, William M. (Willie), Chairman (D)
Johnson, Vicki, Vice-Chairman (D)
Bengtson, Esther G. (D)
Brand, Joe (D)
Conroy, Thomas R. (D)
Dassinger, E. N. (D)
Ellerd, Robert A. (R)
Ernst, Gene N. (R)
Hand, Bill (D)
Hayne, Harriet (R)
Hirsch, Les (D)
Jensen, William (R)
Kanduch, Joe F., Sr. (D)
Lien, Edward (D)
Roth, Audrey (R)
Schultz, James M. (R)
Smith, Carl (R)

Council Staff: Bob Lane

M, W, F - 1:30 p.m., Room 1 Capitol Annex

Appropriations

10 DEM., 7 REP.

Bardanouve, Francis, Chairman (D)
South, Carroll, Vice-Chairman (D)
Bengtson, Esther G. (D)
Ellis, Howard L. (R)
Gesek, Patricia E. (D)
Hand, Bill (D)
Hurwitz, Burt (R)
Kvaalen, Oscar S. (R)
Lund, Art (R)
Manning, Richard E. (D)
Manuel, Rex (D)
Marks, Robert L. (R)
Menahan, William (Red) (D)
Moore, Jack K. (R)
Waldron, Steve (D)
Wood, L. E. (Gene) (R)
Yardley, Dan (D)

Staffed by Office of Legislative
Fiscal Analyst, John LaFaver

M through S - 8:00 a.m., Room 104

APPROPRIATIONS — FINANCE AND CLAIMS
Joint Subcommittees

Education

South, Carroll, Chairman (D)
Nelson, Harold, Vice-Chairman (R)
Bengtson, Esther (D)
Moore, Jack (R)
Kvaalen, Oscar (R)
Fasbender, Larry (D)

Fiscal Analyst Staff: Judy Rippingale

Human Services

Waldron, Steve, Chairman (D)
Story, Pete, Vice-Chairman (D)
Hand, Bill (D)
Marks, Robert (R)
Aklestad, Gary (R)
Regan, Pat (D)

Fiscal Analyst Staff: Curt Nichols

Institutions

Yardley, Dan, Chairman (D)
Etchart, Mark, Vice-Chairman (R)
Gesek, Pat (D)
Lund, Art (R)
Ellis, Howard (R)
Thomas, Bill (D)

Fiscal Analyst Staff: Betty Waugh

Legislative, Judicial, Administrative

Menahan, William, Chairman (D)
Lockrem, Lloyd, Vice-Chairman (R)
Hand, Bill (D)
Wood, Gene (R)
Thiessen, Cornie (D)

Fiscal Analyst Staff: JanDee May

Long Range Building

Yardley, Dan, Chairman (D)
Etchart, Mark, Vice-Chairman (R)
South, Carroll (D)
Lund, Art (R)
Kvaalen, Oscar (R)
Himsl, Matt (R)
Fasbender, Larry (D)
Thiessen, Cornie (D)

Fiscal Analyst Staff: Judy Rippingale

Natural Resources and Business Regulation

Manuel, Rex, Chairman (D)
Smith, Ed, Vice-Chairman (R)
Manning, Richard (D)
Hurwitz, Burt (R)
Boylan, Paul (D)
Stimatz, Larry (D)

Fiscal Analyst Staff: Bob Robinson

Business and Industry

11 DEM., 8 REP.

Quilici, Joe, Chairman (D)
Vincent, John, Vice-Chairman (D)
Cooney, Mike (D)
Ellerd, Robert A. (R)
Ellison, Orval S. (R)
Frates, Gene (D)
Harper, Hal (D)
Hemstad, Andrea (R)
Jensen, William (R)
Kessler, Gerald R. (D)
Metcalf, Jerry (D)
Meyer, Darryl (R)
Nathe, Dennis G. (R)
Oberg, Danny (D)
Robbins, Ken (D)
Shelden, Arthur H. (D)
Spilker, Barbara (Bobby) (R)
Stobie, Chris H. (R)
Tropila, Joe (D)

Council Staff: Shaun Simon

M through S - 8:00 a.m., Room 437

Education and Cultural Resources

10 DEM., 7 REP.

Gilligan, Peter J., Jr., Chairman (D)
Uhde, Jack Brian, Vice-Chairman (D)
Anderson, Robert (R)
Daily, Fred (Fritz) (D)
Eudaily, Ralph S. (R)
Kemmis, Daniel (D)
Kvaalen, Oscar S. (R)
Lory, Earl C. (R)
Lund, Art (R)
Magone, Joseph M. (D)
Nordtvedt, Kenneth L., Jr. (R)
Oberg, Danny (D)
Pistoria, Paul G. (D)
Porter, Howard C. (R)
Reichert, Arlyne (D)
Teague, Wes (D)
Yardley, Dan (D)

Council Staff: Jim Oppedahl

M, W, F - 1:30 p.m., Room 5 Capitol Annex

Fish and Game

10 DEM., 7 REP.

Staigmiller, John B., Chairman (D)
Hirsch, Les J., Vice-Chairman (D)
Conroy, Thomas R.(D)
Curtiss, Aubyn A. (R)
Daily, Fred (Fritz) (D)
Ellis, Howard L. (R)
Ellison, Orval S. (R)
Jensen, William (R)
Johnson, Vicki (D)
Johnston, George R. (D)
Keedy, Michael H. (D)
Manuel, Rex (D)
Marks, Robert L. (Bob) (R)
Metcalf, Jerry (D)
Robbins, Ken (D)
Schultz, James M. (R)
Thoft, Bob (R)

Council Staff: Jim Lear

T, Th, S - 1:30 P.M., Room 1 Capitol Annex

Highways and Transportation

9 DEM., 7 REP.

Baeth, William R. (Bill), Chairman (D)
Kanduch, Joe F., Sr., Vice-Chairman (D)
Cooney, Mike (D)
Ernst, Gene N. (R)
Fabrega, Jay (R)
Feda, G. D. (Jerry) (R)
Frates, Gene (D)
Keyser, Kerry (R)
Kropp, Paul K. (R)
Lien, Edward (D)
Magone, Joseph M. (D)
Meyer, Darryl (R)
Rosenthal, Jonas H. (D)
Tropila, Joe (D)
Uhde, Jack Brian (D)
Wood, L. E. (Gene) (R)

Council Staff: Bob Lane

T, Th, S - 1:30 p.m., Room 1B Capitol Annex

Judiciary

11 DEM., 8 REP.

Scully, John P., Chairman (D)
Teague, Wes, Vice-Chairman (D)
Anderson, Robert L. (R)
Conroy, Thomas R. (D)
Curtiss, Aubyn A. (R)
Daily, Fred (Fritz) (D)
Day, William M. (D)
Eudaily, Ralph S. (R)
Holmes, Polly (D)
Iverson, Dennis (R)
Keedy, Michael H. (D)
Kemmis, Daniel (D)
Keyser, Kerry (R)
Lory, Earl C. (R)
Pavlovich, Robert J. (D)
Rosenthal, Jonas H. (D)
Roth, Audrey (R)
Seifert, Carl A. (R)
Uhde, Jack Brian (D)

Council Staff: Larry Weinberg

M through S - 8:00 a.m., Room 436

Labor and Employment Relations

10 DEM., 7 REP.

Williams, J. Melvin, Chairman (D)
Harrington, Dan W., Vice-Chairman (D)
Dassinger, E. N. (D)
Dozier, Robert (D)
Ellerd, Robert A. (R)
Fagg, Harrison G. (R)
Harper, Hal (D)
Manning, Richard E. (D)
Menahan, William (Red) (D)
O'Connell, Helen G. (D)
Pavlovich, Robert J. (D)
Porter, Howard C. (R)
Seifert, Carl A. (R)
Stobie, Chris H. (R)
Teague, Wes (D)
Underdal, Melvin (R)
Wyrick, Harold A. (R)

Council Staff: Karen Hedblom

T, Th, S - 1:30 p.m., Room 5 Capitol Annex

Legislative Administration—Bills and Journal

3 DEM., 2 REP.

Metcalf, Jerry, Chairman (D)
Magone, Joseph M., Vice-Chairman (D)
Lory, Earl C. (R)
Meyer, Darryl (R)
Quilici, Joe (D)

Local Government

10 DEM., 7 REP.

Robbins, Hershel M., Chairman (D)
Reichert, Arlyne, Vice-Chairman (D)
Azzara, James (D)
Bertelsen, Verner L. (R)
Donaldson, Gene (R)
Gould, R. Budd (R)
Hurwitz, Burt L. (R)
Kemmis, Daniel (D)
Kessler, Gerald R. (D)
McBride, Kathleen (D)
Moore, Jack K. (R)
Oberg, Danny (D)
Pistoria, Paul G. (D)
Sales, Walter R. (R)
South, Carroll V. (D)
Vinger, Orren C. (R)
Waldron, Steve (D)

Council Staff: Scott Currey

T, Th, S - 1:30 p.m., Room 3 Capitol Annex

Natural Resources

11 DEM., 8 REP.

Shelden, Arthur H. (Art), Chairman (D)
Harper, Hal, Vice-Chairman (D)
Bertelsen, Verner L. (R)
Burnett, James H. (Jim) (R)
Cooney, Mike (D)
Curtiss, Aubyn A. (R)
Fagg, Harrison G. (R)
Huennekens, Herb (D)
Iverson, Dennis (R)
Johnston, George R. (D)
Keedy, Michael H. (D)
Kessler, Gerald R. (D)
McBride, Kathleen (D)
Metcalf, Jerry (D)
Nathe, Dennis G. (R)
Quilici, Joe (D)
Scully, John P. (D)
Spilker, Barbara (Bobby) (R)
Thoft, Bob (R)

Council Staff: Debbie Schmidt

M, W, F - 1:30 p.m., Room 3 Capitol Annex

Human Services

11 DEM., 8 REP.

Holmes, Polly, Chairman (D)
Frates, Gene, Vice-Chairman (D)
Azzara, James (D)
Bennett, W. F. (R)
Dozier, Robert (D)
Fabrega, Jay (R)
Feda, G. C. (Jerry) (R)
Gesek, Patricia E. (D)
Gould, R. Budd (R)
Harrington, Dan W. (D)
Hemstad, Andrea (R)
Keyser, Kerry (R)
O'Connell, Helen G. (D)
Pavlovich, Robert J. (D)
Robbins, Ken (D)
Rosenthal, Jonas H. (D)
Stobie, Chris H. (R)
Tropila, Joe (D)
Wyrick, Harold A. (R)

Council Staff: Karen Hedblom

M, W, F - 1:30 p.m., Room 1B Capitol Annex

Rules

6 DEM., 4 REP.

Dussault, Ann Mary, Chairman (D)
Gerke, Harold E., Vice-Chairman (D)
Bardanouve, Francis (D)
Brand, Joe (D)
Huennekens, Herb (D)
Kvaalen, Oscar S. (R)
Moore, Jack K. (R)
Ramirez, Jack (R)
Sivertsen, Robert (R)
Vincent, John (D)

Council Staff: Diana Dowling

State Administration

11 DEM., 8 REP.

Brand, Joe, Chairman (D)
O'Connell, Helen G., Vice-Chairman (D)
Azzara, James (D)
Baeth, William R. (Bill) (D)
Bardanouve, Francis (D)
Bennett, W. F. (R)
Donaldson, Gene (R)
Feda, G. C. (Jerry) (R)
Hayne, Harriet (R)
Johnston, George R. (D)
Kanduch, Joe F., Sr. (D)
Kropp, Paul K. (R)
Magone, Joseph M. (D)
McBride, Kathleen (D)
Pistoria, Paul G. (D)
Porter, Howard C. (R)
Sales, Walter R. (R)
Smith, Carl M. (R)
Staigmiller, John B. (D)

Council Staff: Stan Zezotarski

M through S - 8:00 a.m., Room 431

Taxation

11 DEM., 8 REP.

Huennekens, Herb, Chairman (D)
Dassinger, E. N., Vice-Chairman (D)
Bertelsen, Verner L. (R)
Burnett, James H. (Jim) (R)
Dozier, Robert (D)
Fabrega, Jay (R)
Fagg, Harrison G. (R)
Gilligan, Peter J., Jr. (D)
Harrington, Dan W. (D)
Hirsch, Les J. (D)
Johnson, Vicki (D)
Lien, Edward (D)
Nordtvedt, Kenneth L. (R)
Reichert, Arlyne (D)
Robbins, Hershel M. (D)
Sivertsen, Robert (R)
Underdal, Melvin (R)
Vinger, Orren C. (R)
Williams, J. Melvin (D)

Council Staff: Randy McDonald

M through S - 8:00 a.m., Room 434

LEGISLATIVE COMMITTEES

Administrative Code Committee

Senate	House
Smith, Richard G., V-Chr. (D)	Ramirez, Jack, Chr. (R)
Lowe, William (D)	Harper, Hal (D)
Peterson, Bob (D)	Hirsch, Les (D)
Story, Pete (R)	Stobie, Chris (R)

Capitol Building and Planning Committee

Senate	House
Healy, John (D)	Metcalf, Jerry (D)
Rasmussen, A.T. (R)	Spilker, Bobby (R)

Energy Policy Committee

Senate	House
Blaylock, Chet (D)	Dussault, Ann Mary (D)
Brown, Steve (D)	Gerke, Harold (D)
Dover, Harold (R)	Ramirez, Jack (R)
Mathers, William (R)	

Environmental Quality Council

Senate	House
Hafferman, William, V-Chr. (D)	Nathe, Dennis, Chr. (R)
Anderson, Mike (R)	Bertelsen, Verner (R)
Dover, Harold (R)	Kemmis, Dan (D)
Thomas, Bill (D)	Shelden, Art (D)
Dunkle, Frank	
Kiesling, Bob	
Milner, Doris	
Starr, Norm	

Forestry Task Force

Senate	House
Roskie, George (R)	Kanduch, Joe (D)
Manley, John (D)	Hurwitz, Burt (R)

Indian Affairs

Senate	House
Lowe, William (R)	Conroy, Tom (D)
Nelson, Harold (R)	Iverson, Dennis (R)
Peterson, Bob (D)	Seifert, Carl (R)
Smith, Richard (D)	Williams, Mel (D)

Laboratory Needs of Livestock Industry

Senate	House
Fasbender, Larry (D)	Bengtson, Esther (D)
Galt, Jack (R)	Thoft, Bob (R)

Legislative Audit Committee

Senate	House
Himsl, Matt, Chr. (D)	Gerke, Harold, V-Chr. (D)
Brown, Steve (D)	Ellis, Howard (R)
Jergeson, Greg (D)	Tropila, Joe (D)
Lockrem, Lloyd (R)	Wood, Gene (R)

Legislative Consumer Council

Senate	House
Kolstad, Allen, V-Chr. (R)	Quilici, Joe, Chr. (D)
Boylan, Paul (D)	Lory, Earl (R)

Legislative Council

Senate	House
Goodover, Pat, V-Chr. (R)	Kvaalen, Oscar, Chr. (R)
Blaylock, Chet (D)	Manuel, Rex (D)
Graham, Carroll (D)	Marks, Robert (R)
Hazelbaker, Frank (R)	Vincent, John (D)

Legislative Finance Committee

Senate	House
Smith, Ed, V-Chr. (R)	South, Carroll, Chr. (D)
Aklestad, Gary (R)	Bardanouve, Francis (D)
Fasbender, Larry (D)	Donaldson, Gene (R)
McCallum, George (R)	Dussault, Ann Mary (D)
Norman, Bill (D)	Lund, Art (R)
Regan, Pat (D)	Moore, Jack (R)

Legislative Improvement Committee

Senate	House
Graham, Carroll (D)	Dussault, Ann Mary (D)
Kolstad, Allen (R)	Gerke, Harold (D)
Norman, Bill (D)	Keyser, Kerry (R)
Stephens, Stan (R)	Sivertsen, Robert (R)

Reapportionment Commission

Mahoney, Eugene, Chr.
Aagenes, Nancy
Bell, Marjorie
Kuhr, John
Pasma, James

Revenue Oversight Committee

Senate	House
Brown, Bob (R)	Bennett, W. F. (R)
Galt, Jack (R)	Dassinger, E. N. (D)
Towe, Thomas (D)	Fabrega, Jay (R)
Turnage, Jean (R)	Harrington, Dan (D)
Watt, Robert (D)	Huennekens, Herb (D)
	Sivertsen, Robert (R)

Coal Tax Oversight Subcommittee

Senate	House
Manning, Dave, Chr. (D)	Porter, Howard (R)
Severson, Elmer D. (R)	Robbins, Hershel (D)

Water Resources Adjudication Oversight Committee

Senate	House
Etchart, Mark (R)	Day, William (D)
Hager, Tom (R)	Scully, John (D)
Stimatz, Lawrence (D)	Ramirez, Jack (R)
Thiessen, Cornie (D)	Curtiss, Aubyn (R)

HOUSE JOURNAL

OF THE

Forty-sixth Legislature

OF THE

State of Montana

FIRST LEGISLATIVE DAY

Helena, Montana
January 3, 1979

House Chambers
Capitol Building

Pursuant to the Constitution of the State of Montana, at the hour of 12:00 noon, the House of Representatives of the Forty-sixth Legislature of the State of Montana, was called to order by the Honorable Frank Murray, Secretary of State of the State of Montana, who extended greetings to the members on behalf of the State of Montana.

The Secretary of State then announced the following temporary appointments: Reverend William Burkhardt of Helena, Montana, Temporary Chaplain; Charles "Dick" Meyer of Helena, Montana, Temporary Sergeant-at-Arms; Martha B. McGee of Helena, Montana, Temporary Chief Clerk; and Jo Ann F. Owens of Helena, Montana, Temporary Journal Clerk.

Posting of the Colors by Captain Lahti and staff from the Montana National Guard, and the Pledge of Allegiance to the Flag by the members followed.

Invocation was given by Reverend William Burkhardt.

The Chief Clerk called the roll by districts as follows: District No. 1, Dennis G. Nathe; District No. 2, Art Lund; District No. 3, Orren C. Vinger; District No. 4, G.C. "Jerry" Feda; District No. 5, Paul K. Kropp; District No. 6, Francis Bardanouve; District No. 7, Robert Sivertsen; District No. 8, Danny Oberg; District No. 9, Dennis Iverson; District No. 10, Audrey Roth; District No. 11, Rex Manuel; District No. 12, Melvin Underdal; District No. 13, George R. Johnston; District No. 14, Harriet Hayne; District No. 15, W. F. Bennett; District No. 16, Robert Lewis Anderson; District No. 17, Jack Brian Uhde; District No. 18, Michael H. Keedy; District No. 19, Patricia E. Gesek; District No. 20, Aubyn A. Curtiss; District No. 21, William R. "Bill" Baeth; District No. 22, Arthur H. "Art" Shelden; District No. 23, Chris H. Stobie; District No. 24, Joseph M. Magone; District No. 25, William Ray Jensen; District No. 26, Carl A. Seifert; District No. 27, Verner L. Bertelsen; District No. 28, Joe Brand; District No. 29, Eugene C. "Gene" Donaldson; District No. 30, Hal Harper; District No. 31, Jerry Metcalf; District No. 32, Barbara J. "Bobby" Spilker; District No. 33, John B. Staigmiller; District No. 34, Helen G.

Healy; District No. 46, Elmer D. Severson; District No. 47, Bill Norman; District No. 48, Bob Palmer; District No. 50, Fred Van Valkenburg.

The Chief Justice of the Supreme Court, The Honorable Frank I. Haswell, was admitted to the Senate Chamber and he administered the following Constitutional Oath of Office to the Senators-elect who subscribed to same:

OATH OF OFFICE

STATE OF MONTANA
ss.

County of_____

I,_____, do solemnly swear (or affirm) that I will support, protect and defend the Constitution of the United States, and the Constitution of the State of Montana, and that I will discharge the duties of my office (_____) with fidelity (so help me God).

At the direction of Senator Thiessen, the temporary Secretary called the complete roll of the Senate. The following Senators responded thereto:

Aklestad, Anderson, Blaylock, Boylan, B. Brown, S. Brown, Conover, Dover, Etchart, Fasbender, Galt, Goodover, Graham, Hafferman, Hager, Hazelbaker, Healy, Himsl, Jergeson, Kolstad, Lensink, Lockrem, Lowe, McCallum, Manley, Manning, Mathers, Mehrens, Nelson, Norman, O'Hara, Olson, Palmer, Peterson, Rasmussen, Regan, Roskie, Ryan, Severson, E. Smith, R. Smith, Stephens, Stimatz, Story, Thiessen, Thomas, Towe, Turnage, Van Valkenburg, Watt.

All members present. Senator Thiessen announced that the Senate of the Forty-sixth Legislature was duly organized and ready for business.

MOTIONS

Senator Stephens moved that the Rules of the Senate and the Joint Rules of the Senate and House of Representatives of the Forty-fifth Legislature, with the exception of Senate Rule 7-1, be the temporary rules of the Forty-sixth Legislature. Motion carried unanimously.

Senator Stephens moved that Senate Rule 7-1 of the temporary rules be suspended for the purpose of enlarging the Committee on Committees from three members to five members. Motion carried unanimously.

Senator Turnage moved that the following nominations be submitted:

Senator Mathers of District 26 for the Office of President of the Senate of the Forty-sixth Legislature and moved that his election carry with it the name of Senator Kolstad of District 5 for the Office of the President Pro Tempore.

Senator Manning moved that the following nominations be submitted:

Senator Thiessen of District 27 for the Office of President of the Senate of the Forty-sixth Legislature and moved that his election carry with it the name of Senator Graham of District 29 for the Office of the President Pro Tempore.

Thereupon, the roll was called for the following nominations:

For Senator Mathers: Aklestad, Anderson, B. Brown, Dover, Etchart, Galt, Goodover, Hager, Hazelbaker, Himsl, Kolstad, Lensink, Lockrem,

District No. 62. Lund, District No. 2 nominated Jack Ramirez, District No. 64. Nominations were closed and the following votes were cast:

For Gerke: Azzara, Baeth, Bardanouve, Bengtson, Brand, Conroy, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Lien, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, Robbins, H., Robbins, K., Rosenthal, Scully, Shelden, South, Staigmiller, Tropila, Uhde, Vincent, Waldron, Williams, Yardley. Total 54.

For Ramirez: Anderson, Bennett, Bertelsen, Burnett, Curtiss, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gerke, Gould, Hayne, Hemstad, Hurwitz, Iverson, Jensen, Kropp, Kvaalen, Lory, Lund, Marks, Meyer, Moore, Nathe, Nordtvedt, Porter, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, Spilker, Stobie, Thoft, Underdal, Vinger, Wood, Wyrick. Total 44.

Excused: Keyser, Teague.

Dussault and Ramirez escorted the newly-elected Speaker, Harold E. Gerke, to the rostrum where he was formally introduced by the Secretary of State and presented with the Speaker's gavel. At this time the Speaker delivered the following address:

It is indeed a great and distinct honor to be elected your speaker and to welcome all of you to the 46th Session of the Montana Legislature. I want to take this opportunity to thank Secretary of State Frank Murray and his very capable staff and the Montana National Guard for their part in this ceremony. I want to express my appreciation to all of you in both political parties for your expression of confidence and for your generous offers of assistance and cooperation. I will need your help and your cooperation and I assure you of mine. I will do my very best to merit your confidence. I want you to feel free to come into my office at any time. The door will always be open. I will do all I can to make your stay here pleasant, educational and rewarding.

Each of us were elected to represent our particular legislative district and certainly we must do that — but — in a larger sense you are elected to represent all the people of Montana. When you stop to think about it — this is a great honor as well as an awesome responsibility. Everything you do here touches the life of a Montana citizen. We are dealing with the future welfare of the people of our state. Let us all pledge — here and now — to make that future the very best for all Montanans.

In this assembly — we have the talent — the experience — knowledge — and I hope the dedication and determination to do the job.

Those of you who have served here before — already know — and those of you who are new — will soon find out as an older and wiser philosopher once said, "Things are not always what they seem to be." You will experience frustration and disappointment at times, but on the other hand, you will find some very pleasant experiences and some wonderful new friends and with diligence and dedication in your work you can come away from here with a good feeling of accomplishment. I don't need to tell you that we have many problems facing this state that you are going to be called on to solve. Up to now, in the political campaigns and in news releases you have been telling the people what you are going to do and what should be done when you get to Helena. Those days are now over. Now you will face the decisions and the consequences. Like a great president once said,

"Here is where the buck stops." Just remember that no one person or no political party has the perfect answer.

We need the fullest cooperation from every one to do the right thing for the people of our state. We offer the fullest cooperation of our party and its people and we welcome the same from the opposition party. I ask that each member of this assembly contribute his greatest effort and talent in this particular way toward the betterment of all Montana. I urge diligence and perserverance in all your work that we may complete this session in the regulation time and at the same time produce legislation that all of us can be proud of when we leave.

With God's help we shall succeed.

MOTIONS

Vincent nominated the following officers of the House of Representatives for the Forty-sixth Legislature: Speaker Pro Tem, Joe Brand; Majority Floor Leader, Ann Mary Dussault; Chief Clerk, Martha B. McGee; Sergeant-at-Arms, Charles "Dick" Meyer; Chaplain, Reverend William Burkhardt. Ramirez moved that a unanimous ballot be cast for the above nominees. Motion carried.

Dussault moved that the temporary rules of the House be the Joint Rules of the House and Senate of the Forty-fifth Legislature, with the exception of the addition of new Joint Rule 7-12 of the Committee Block Scheduling System which reads: "7-12. A committee block scheduling system will be implemented in the Senate and House of Representatives. The schedule will be coordinated between houses and will be adjusted according to the legislature's work load." Motion carried.

Dussault moved that the temporary rules of the House be the House rules of the Forty-fifth Legislative Assembly. Motion carried.

Dussault moved that the Speaker appoint a committee of five members to notify His Excellency, the Governor, that the House is now organized and ready to receive any messages he wishes to deliver and also to learn the time set for his message. Motion carried. The Speaker appointed: Vincent, Chairman; Oberg, Metcalf, Hemstad, Schultz.

Dussault moved that the Speaker appoint a committee of five members to inform the Honorable Senate that the House is now organized and ready to do business and that the House wishes them God's speed. Motion carried. The Speaker appointed: Bardanouve, Chairman; Johnson, Hirsch, Hurwitz, Donaldson.

Dussault moved that the Speaker appoint a committee of five members to inform the Chief Justice and members of the Supreme Court that the House is organized and ready for business. Motion carried. The Speaker appointed: Scully, Chairman; Holmes, Daily, Roth, Anderson.

REPORTS OF SELECT COMMITTEES

A committee from the Senate composed of Hazelbaker, Lockrem, Boylan were admitted and advised the House that the Senate was organized and ready for business.

The committee appointed to notify the Governor that the House was ready for business reported that the Governor extends his best wishes for a fruitful session, and that the time for his State of the State message will be Friday, January 5, 1979 at 11 a.m. in the House Chambers. The committee was thanked for their faithful performance and discharged.

The committee appointed to notify the Senate that the House was ready for business reported that it had done so. They were thanked for their faithful performance and discharged.

The committee appointed to notify the Supreme Court that the House was ready for buisness reported that it had done so. They were thanked for their faithful performance and discharged.

REPORTS OF STANDING COMMITTEES

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Metcalf, Chairman): 1/3/79

Respectfully recommend that the attaches approved by the Committee on Legislative Administration be approved by this Body:

Martha B. McGee.....Chief Clerk
Art Noonan.....Assistant Chief Clerk
Zorka DaSilva.....Secretary to Chief Clerk
Pearl Greenblatt.....Secretary to Assistant Chief Clerk
Pat Tyanich.....Bills Clerk
Sherie Grace.....Assistant Bills Clerk
Marc Strahn.....Reading Clerk
Frank Harrison.....Reading Clerk
Tom Staples.....Posting Clerk
Jo Ann Owens.....Journal Clerk
Paula Stoll.....Assistant Journal Clerk
Shaun DeVine.....Bills Coordinator
Jane Powell.....Assistant Bills Coordinator
Richard Newby.....Amendments Coordinator
Bobbie Murphy.....Secretary to Speaker of House
Nancy Aagenes.....Secretary to Majority Leader
Martha Brass.....Secretary to Minority Leader
Pat Syskowski.....Secretary to Majority Whip
Beau Walters.....Legislative Printing
Bobbie Rintala.....Steno Status
Tom Pelletier.....Assistant Amendments Coordinator
Roberta Stipcich.....Committee Secretary, Appropriations
Mary Ellen Connelly.....Committee Secretary, Judiciary
Virginia Ratliff.....Committee Secretary, Public Health, Welfare and Safety
Yvonne Borgmann.....Committee Secretary, Local Government
Emelia Satre.....Committee Secretary, Natural Resources
Anita Sierke.....Committee Secretary, State Administration
Jo Lahti.....Committee Secretary, Taxation
Wanda Gough.....Chief Stenographer
Nina Kosmas.....Stenographer
Cathy Martin.....Stenographer
Barbara Schuyler.....Stenographer
Roxanna Harding.....Stenographer
Lynda Murphy.....Stenographer
Patricia Hatfield.....Stenographer
Martha Wing.....Stenographer
Martha Herlevi.....Proofreader
Lewis Smith.....Proofreader
Mary M. Gabse.....Proofreader
Michelle T. Sparks.....Proofreader
Angie Mangiantini.....Proofreader
Dick Meyer.....Sergeant-at-arms
Stephen Huntington.....Assistant Sergeant-at-arms
Clyde Neu.....Assistant Sergeant-at-arms

Joe Langenfus .....Doorman, 3rd Floor
Clifford Cate .....Doorman, 4th Floor
Alice Hanley .....Supply Clerk
Tim Flynn .....Page Supervisor
Kevin Oyer .....Security Guard
Joe Floreen .....Security Guard
Michael Hagen .....Security Guard
Steve Clark .....Security Guard
Barbara E. Neumann .....Page
Bridgett Dunn .....Page
Tanan Maki .....Page
Dave Bogut .....Page
Mike Manuel .....Page
Judy Downey .....Page
Judy Mook.Comm. Secr., Agriculture, Livestock & Irrigation — Fish and Game

Report adopted.

SPECIAL ORDERS OF THE DAY

The following committee chairmen and members were announced by the Chief Clerk:

AGRICULTURE, LIVESTOCK AND IRRIGATION

William M. Day, Chairman (D)
Vicki Johnson (D)
Bill Hand (D)
Joe F. Kanduch, Sr. (D)
Esther G. Bengtson (D)
Les J. Hirsch (D)
E. N. Dassinger (D)
Edward Lien (D)
Thomas R. Conroy (D)
Joe Brand (D)
William Ray Jensen (R)
James M. Schultz (R)
Harriet Hayne (R)
Robert A. Ellerd (R)
Carl M. Smith (R)
Audrey Roth (R)
Gene N. Ernst (R)

APPROPRIATIONS

Francis Bardanouve, Chairman (D)
Carroll V. South (D)
Rex Manuel (D)
Steve Waldron (D)
William "Red" Menahan (D)
Patricia E. Gesek (D)
Dan Yardley (D)
Esther G. Bengtson (D)
Bill Hand (D)
Richard E. Manning (D)
Howard L. Ellis (R)
Burt L. Hurwitz (R)
Oscar S. Kvaalen (R)
Robert L. Marks (R)
Art Lund (R)

Jack K. Moore (R)
L. E. "Gene" Wood (R)

BUSINESS AND INDUSTRY

Joe Quilici, Chairman (D)
John Vincent (D)
Mike Cooney (D)
Gene Frates (D)
Hal Harper (D)
Gerald R. Kessler (D)
Joe Tropila (D)
Jerry Metcalf (D)
Danny Oberg (D)
Ken Robbins (D)
Arthur H. Shelden (D)
Robert A. Ellerd (R)
Orval S. Ellison (R)
Andrea Hemstad (R)
William R. Jensen (R)
Darryl Meyer (R)
Dennis G. Nathe (R)
Barbara Spilker (R)
Chris H. Stobie (R)

EDUCATION

Peter J. Gilligan, Jr., Chairman (D)
Jack Brian Uhde (D)
Arlyne Reichert (D)
Daniel Kemmis (D)
Paul G. Pistoria (D)
Danny Oberg (D)
Fred "Fritz" Daily (D)
Wes Teague (D)
Dan Yardley (D)
Joseph M. Magone (D)
Howard C. Porter (R)
Ralph S. Eudaily (R)
Art Lund (R)
Kenneth L. Nordtvedt, Jr. (R)
Earl C. Lory (R)
Oscar S. Kvaalen (R)
Robert Lewis Anderson (R)

FISH AND GAME

John B. Staigmiller, Chairman (D)
Les J. Hirsch (D)
Michael H. Keedy (D)
Jerry Metcalf (D)
Rex Manuel (D)
Vicki Johnson (D)
Ken Robbins (D)
George R. Johnston (D)
Thomas R. Conroy (D)
Fred "Fritz" Daily (D)
Orval S. Ellison (R)
Bob Thoft (R)
Aubyn A. Curtiss (R)

Robert L. "Bob" Marks (R)
James M. Schultz (R)
William Ray Jensen (R)
Howard L. Ellis (R)

HIGHWAYS AND TRANSPORTATION

William R. "Bill" Baeth, Chairman (D)
Joe F. Kanduch, Sr. (D)
Mike Cooney (D)
Gene Frates (D)
Jack Brian Uhde (D)
Jonas H. Rosenthal (D)
Joe Tropila (D)
Joseph M. Magone (D)
Edward Lien (D)
Kerry Keyser (R)
Paul K. Kropp (R)
L. E. "Gene" Wood (R)
Jay Fabrega (R)
Gene N. Ernst (R)
G. D. "Jerry" Feda (R)
Darryl Meyer (R)

JUDICIARY

John P. Scully, Chairman (D)
Wes Teague (D)
Polly Holmes (D)
Daniel Kemmis (D)
Michael H. Keedy (D)
Jack Brian Uhde (D)
William M. Day (D)
Robert J. Pavlovich (D)
Jonas H. Rosenthal (D)
Fred "Fritz" Daily (D)
Thomas R. Conroy (D)
Earl C. Lory (R)
Carl A. Seifert (R)
Ralph S. Eudaily (R)
Kerry Keyser (R)
Robert L. Anderson (R)
Aubyn A. Curtiss (R)
Dennis Iverson (R)
Audrey Roth (R)

LABOR AND EMPLOYMENT RELATIONS

J. Melvin Williams, Chairman (D)
Dan W. Harrington (D)
Hal Harper (D)
Richard E. Manning (D)
E. N. Dassinger (D)
Helen G. O'Connell (D)
Wes Teague (D)
William "Red" Menahan (D)
Robert J. Pavlovich (D)
Robert Dozier (D)
Harold A. Wyrick (R)
Robert A. Ellerd (R)

Howard C. Porter (R)
Carl A. Seifert (R)
Melvin Underdal (R)
Harrison G. Fagg (R)
Chris H. Stobie (R)

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL

Jerry Metcalf, Chairman (D)
Joseph M. Magone (D)
Joe Quilici (D)
Earl C. Lory (R)
Darryl Meyer (R)

LOCAL GOVERNMENT

Hershel M. Robbins, Chairman (D)
Arlyne Reichert (D)
Gerald R. Kessler (D)
James Azzara (D)
Kathleen McBride (D)
Steve Waldron (D)
Daniel Kemmis (D)
Paul G. Pistoria (D)
Caroll V. South (D)
Danny Oberg (D)
Joe Quilici (D)
Burt L. Hurwitz (R)
Verner L. Bertelsen (R)
Orren C. Vinger (R)
Walter R. Sales (R)
R. Budd Gould (R)
Jack K. Moore (R)
Barbara Spilker (R)
Gene Donaldson (R)

NATURAL RESOURCES

Arthur H. "Art" Shelden, Chairman (D)
Hal Harper (D)
Mike Cooney (D)
Jerry Metcalf (D)
Kathleen McBride (D)
Michael H. Keedy (D)
John P. Scully (D)
George R. Johnston (D)
Gerald R. Kessler (D)
Herb Huennekens (D)
Joe Quicili (D)
Bob Thoft (R)
Harrison G. Fagg (R)
Dennis G. Nathe (R)
James H. "Jim" Burnett (R)
Dennis Iverson (R)
Aubyn A. Curtiss (R)
Verner L. Bertelsen (R)
Paul K. Kropp (R)

PUBLIC HEALTH, WELFARE AND SAFETY

Polly Holmes, Chairman (D)

Gene Frates (D)
Joe Tropila (D)
James Azzara (D)
Jonas H. Rosenthal (D)
Dan W. Harrington (D)
Helen G. O'Connell (D)
Patricia E. Gesek (D)
Robert Dozier (D)
Ken Robbins (D)
Robert J. Pavlovich (D)
R. Budd Gould (R)
W. F. Bennett (R)
G. C. "Jerry" Feda (R)
Chris H. Stobie (R)
Harold A. Wyrick (R)
Andrea "Andy" Hemstad (R)
Kerry Keyser (R)
Jay Fabrega (R)

RULES

Ann Mary Dussault, Chairman (D)
Harold E. Gerke (D)
John Vincent (D)
Joe Brand (D)
Herb Huennekens (D)
Francis Bardanouve (D)
Jack Ramirez (R)
Robert Sivertsen (R)
Jack K. Moore (R)
Oscar S. Kvaalen (R)

STATE ADMINISTRATION

Joe Brand, Chairman (D)
Helen G. O'Connell (D)
John B. Staigmiller (D)
Paul G. Pistoria (D)
Joe F. Kanduch, Sr. (D)
William R. "Bill" Baeth (D)
James Azzara (D)
Joseph M. Magone (D)
Kathleen McBride (D)
George R. Johnston (D)
Francis Bardanouve (D)
G. C. "Jerry" Feda (R)
Paul K. Kropp (R)
Howard C. Porter (R)
Gene Donaldson (R)
Walter R. Sales (R)
Harriet Hayne (R)
Carl M. Smith (R)
W. F. Bennett (R)

TAXATION

Herb Huennekens, Chairman (D)
E. N. Dassinger (D)
Arlyne Reichert (D)
Les J. Hirsch (D)

J. Melvin Williams (D)
Vicki Johnson (D)
Edward Lien (D)
Dan W. Harrington (D)
Robert Dozier (D)
Peter J. Gilligan (D)
Hershel M. Robbins (D)
Verner L. Bertelsen (R)
Jay Fabrega (R)
Harrison G. Fagg (R)
Robert Sivertsen (R)
Melvin Underdal (R)
Kenneth L. Nordtvedt (R)
Orren C. Vinger (R)
James H. Burnett (R)

The Speaker announced the following Staff of the Rostrum and the Sergeant-at-Arms office: Art Noonan, Helena, Assistant Chief Clerk; Pat Tyanich, Helena, Bills Clerk; Sherie Grace, Helena, Assistant Bills Clerk; Jo Ann Owens, Helena, Journal Clerk; Paula Stoll, Helena, Assistant Journal Clerk; Marc Strahn, Bozeman, Reading Clerk; Frank Harrison, Helena, Reading Clerk; Roberta Rintala, Helena, Status Input Technician; Shaun DeVine, Great Falls, Bills Coordinator; Jane Powell, Helena, Assistant Bills Coordinator; Dick Meyer, Sergeant-at-Arms; Steve Huntington, Butte, Assistant Sergeant-at-Arms; Clyde Neu, Helena, Assistant Sergeant-at-Arms; Joe Langenfus, Doorman; Clifford Cate, Doorman; Alice Hanley, Supply Clerk; Tim Flynn, Dillon, Page Supervisor; Barbara E. Neumann, Baker, Page; Bridgett Dunn, Clancy, Page; Tanan Maki, Belt, Page; Dave Bogut, Deer Lodge, Page; Mike Manuel, Fairfield, Page; Judy Downey, Butte, Page.

ANNOUNCEMENT OF COMMITTEE MEETINGS

Committee meetings were then announced by committee chairmen.

Speaker Gerke then introduced to the members his wife Vera, son Dean and daughter-in-law Vivian.

At this time, Jack Ramirez, Minority Floor Leader, introduced Montana's Eastern District Congressman Ron Marlenee, and his wife Cindy, who were seated in the gallery.

Dussault moved that the House adjourn until 4:00 p.m., January 4, 1979.

Motion carried.

House adjourned at 1:00 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

SECOND LEGISLATIVE DAY

Helena, Montana
January 4, 1979

House Chambers
Capitol Building

House convened at 4:00 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Fagg, Keyser, excused. Quorum present.

COMMUNICATIONS AND PETITIONS

The Chief Clerk read the following mailgram:

MR SPEAKER AND MEMBERS OF THE 46 MONTANA LEGISLATURE

I WISH TO EXTEND TO EACH OF YOU MY BEST WISHES FOR A CONSTRUCTIVE AND REWARDING LEGISLATIVE SESSION. I AM CONFIDENT THAT OUR STATES AFFAIRS ARE IN THE HANDS OF VERY FINE AND CONSCIENTIOUS PEOPLE.

SINCERELY

JOHN B DRISCOLL
HAMILTON, MONTANA

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

HB 3, introduced by Hand. Referred to Committee on Business and Industry.
HB 4, introduced by (no sponsor), (By Request of the Code Commissioner). Referred to Committee on Judiciary.
HB 5, introduced by (no sponsor), (By Request of the Code Commissioner). Referred to Committee on Judiciary.
HB 6, introduced by (no sponsor), (By Request of the Code Commissioner). Referred to Committee on Judiciary.
HB 7, introduced by (no sponsor), (By Request of the Code Commissioner). Referred to Committee on Judiciary.
HB 8, introduced by (no sponsor), (By Request of the Code Commissioner). Referred to Committee on Judiciary.
HB 10, introduced by (no sponsor), (By Request of the Code Commissioner). Referred to Committee on Judiciary.
HB 11, introduced by Keyser. Referred to Committee on Taxation.
HB 12, introduced by (no sponsor), (By Request of the Interim Subcommittee on State Legal Services and Election Laws). Referred to Committee on State Administration.
HB 13, introduced by (no sponsor), (By Request of the Department of Public Service Regulation). Referred to Committee on Business and Industry.
HB 14, introduced by (no sponsor), (By Request of the Department of Public Service Regulation). Referred to Committee on Business and Industry.
HB 15, introduced by (no sponsor), (By Request of the Department of Public Service Regulation). Referred to Committee on Business and Industry.

MONTANA LEGISLATIVE COUNCIL
LIBRARY

HB 16, introduced by (no sponsor), (By Request of the Department of Public Service Regulation). Referred to Committee on Business and Industry.

HB 17, introduced by (no sponsor), (By Request of the Department of Public Service Regulation). Referred to Committee on Business and Industry.

HB 18, introduced by (no sponsor), (By Request of the Department of Public Service Regulation). Referred to Committee on Business and Industry.

HB 19, introduced by (no sponsor), (By Request of the Department of Public Service Regulation). Referred to Committee on Business and Industry.

HB 20, introduced by (no sponsor), (By Request of the Department of Public Service Regulation). Referred to Committee on Taxation.

HB 21, introduced by (no sponsor), (By Request of the Department of Public Service Regulation). Referred to Committee on Business and Industry.

HB 22, introduced by (no sponsor), (By Request of the Department of Professional and Occupational Licensing). Referred to Committee on State Administration.

HB 23, introduced by (no sponsor), (By Request of the Department of Professional and Occupational Licensing). Referred to Committee on State Administration.

HB 24, introduced by (no sponsor), (By Request of the Department of Professional and Occupational Licensing). Referred to Committee on State Administration.

HB 25, introduced by (no sponsor), (By Request of the Department of Fish and Game). Referred to Committee on Fish and Game.

HB 26, introduced by (no sponsor), (By Request of the Department of Fish and Game). Referred to Committee on Fish and Game.

HB 27, introduced by (no sponsor), (By Request of the Department of Highways). Referred to Committee on Highways and Transportation.

HB 28, introduced by (no sponsor), (By Request of the Department of Highways). Referred to Committee on Highways and Transportation.

HB 29, introduced by (no sponsor), (By Request of the Department of Fish and Game). Referred to Committee on Fish and Game.

HB 30, introduced by (no sponsor), (By Request of the Department of Fish and Game). Referred to Committee on Fish and Game.

HB 31, introduced by (no sponsor), (By Request of the Department of Labor and Industry). Referred to Committee on Labor and Employment Relations.

HB 32, introduced by (no sponsor), (By Request of the Department of Labor and Industry). Referred to Committee on Judiciary.

HB 33, introduced by (no sponsor), (By Request of the Department of Labor and Industry). Referred to Committee on Labor and Employment Relations.

HB 34, introduced by (no sponsor), (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Public Health, Welfare and Safety.

HB 35, introduced by H. Robbins. Referred to Committee on Education.

HB 36, introduced by Dussault. (By Request of the Interim Subcommittee on Education). Referred to Committee on Education.

HB 37, introduced by (no sponsor), (By Request of the Department of Fish and Game). Referred to Committee on Fish and Game.

HB 38, introduced by (no sponsor), (By Request of the Department of Fish and Game). Referred to Committee on Fish and Game.

HB 39, introduced by (no sponsor), (By Request of the Code Commissioner). Referred to Committee on Business and Industry.

HB 40, introduced by Metcalf. Referred to Committee on Public Health, Welfare and Safety.

HB 41, introduced by (no sponsor), (By Request of the Code Commissioner). Referred to Committee on Judiciary.

HB 42, introduced by (no sponsor), (By Request of the Code Commissioner). Referred to Committee on Labor and Employment Relations.

HB 43, introduced by Shelden, (By Request of the Interim Subcommittee on Subdivision Laws). Referred to Committee on Natural Resources.

HB 44, introduced by Shelden, (By Request of the Interim Subcommittee on Subdivision Laws). Referred to Committee on Natural Resources.

HB 45, introduced by Conroy, (By Request of the Interim Subcommittee on Subdivision Laws). Referred to Committee on Local Government.

HB 46, introduced by Lory, (By Request of the Interim Subcommittee on Subdivision Laws). Referred to Committee on Local Government.

HB 47, introduced by Shelden, (By Request of the Interim Subcommittee on Subdivision Laws). Referred to Committee on Local Government.

HB 48, introduced by (no sponsor), (By Request of the Code Commissioner). Referred to Committee on Natural Resources.

HB 50, introduced by (no sponsor), (By Request of the Department of Community Affairs). Referred to Committee on State Administration.

HB 51, introduced by (no sponsor), (By Request of the Department of Administration). Referred to Committee on State Administration.

HB 52, introduced by (no sponsor), (By Request of the Department of Administration). Referred to Committee on State Administration.

HB 53, introduced by (no sponsor), (By Request of the Department of Labor and Industry). Referred to Committee on Taxation.

HB 54, introduced by (no sponsor), (By Request of the Department of Labor and Industry). Referred to Committee on Labor and Employment Relations.

HB 55, introduced by (no sponsor), (By Request of the Department of Public Service Regulation). Referred to Committee on Highways and Transportation.

HB 56, introduced by (no sponsor), (By Request of the Department of Public Service Regulation). Referred to Committee on Local Government.

HB 57, introduced by (no sponsor), (By Request of the Department of Public Service Regulation). Referred to Committee on Business and Industry.

HB 58, introduced by (no sponsor), (By Request of the Department of Public Service Regulation). Referred to Committee on State Administration.

HB 59, introduce by (no sponsor), (By Request of the Department of Professional and Occupational Licensing). Referred to Committee on Business and Industry.

HB 60, introduced by (no sponsor), (By Request of the Department of Community Affairs). Referred to Committee on Taxation.

HB 61, introduced by Waldron. Referred to Committee on Local Government.

HB 62, introduced by (no sponsor), (By Request of the Department of Labor and Industry). Referred to Committee on Labor and Employment Relations.

HB 63, introduced by (no sponsor), (By Request of the Department of Highways). Referred to Committee on Taxation.

HB 64, introduced by (no sponsor), (By Request of the Department of Highways). Referred to Committee on Taxation.

HB 65, introduced by (no sponsor), (By Request of the Department of Public Service Regulation). Referred to Committee on Highways and Transportation.

HB 66, introduced by (no sponsor), (By Request of the Department of Public Service Regulation). Referred to Committee on Highways and Transportation.

HB 67, introduced by (no sponsor), (By Request of the Department of Public Service Regulation). Referred to Committee on Highways and Transportation.

HB 68, introduced by (no sponsor), (By Request of the Department of Public Service Regulation). Referred to Committee on Labor and Employment Relations.

HB 69, introduced by (no sponsor), (By Request of the Department of Public Service Regulation). Referred to Committee on Highways and Transportation.

HB 70, introduced by (no sponsor), (By Request of the Department of Public Service Regulation). Referred to Committee on Highways and Transportation.

HB 71, introduced by (no sponsor), (By Request of the Department of Revenue). Referred to Committee on Business and Industry.

HB 72, introduced by (no sponsor), (By Request of the Department of Revenue). Referred to Committee on Taxation.

HB 73, introduced by (no sponsor), (By Request of the Department of Revenue). Referred to Committee on Taxation.

HB 74, introduced by (no sponsor), (By Request of the Attorney General). Referred to Committee on Highways and Transportation.

HB 75, introduced by (no sponsor), (By Request of the Attorney General). Referred to Committee on Judiciary.

HB 76, introduced by (no sponsor), (By Request of the Department of Administration). Referred to Committee on State Administration.

HB 77, introduced by (no sponsor), (By Request of the Department of Institutions). Referred to Committee on State Administration.

HB 78, introduced by Menahan. Referred to Committee on Business and Industry.

Dussault moved that the House adjourn until 10:45 a.m., January 5, 1979.

Motion carried.

House adjourned at 4:16 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

THIRD LEGISLATIVE DAY

Helena, Montana
January 5, 1979

House Chambers
Capitol Building

House convened at 10:44 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Bennett, Fagg, Keyser, excused. Quorum present.

MOTIONS

Dussault moved that the Speaker appoint a committee of two along with a like committee from the Senate to escort the Honorable Governor to the House Chambers. Motion carried.

The Speaker appointed Kessler and Bertelsen.

Scully moved that HB 12 be rereferred from the Committee on State Administration to the Committee on Judiciary. Motion carried.

SPECIAL ORDERS OF THE DAY

A committee from the Senate entered to notify the House that the Senate was prepared to join the Honorable House in a Joint Session with the Governor.

Members of the Senate were admitted to the House. The Legislature, being in Joint Session, Speaker Gerke gave the Chair to President Mathers.

Senator Stephens moved that a committee of four be appointed to notify the Governor that the Legislature was in Joint Session and ready to receive his State of the State Address. Motion carried.

President Mathers appointed Senators Turnage, Manning and Representatives Kessler, Bertelsen.

Posting of the Colors by Captain Lahti and the members of the Montana National Guard, and the Pledge of Allegiance to the Flag by the members followed.

His Excellency Thomas L. Judge was escorted to the rostrum. After being presented to the members of both houses by the President of the Senate, the Governor delivered his address.

STATE OF THE STATE ADDRESS
GOVERNOR THOMAS L. JUDGE
Forty-sixth Legislature

January 5, 1979

Lieutenant Governor Schwinden, President Mathers, Speaker Gerke, Chief Justice Haswell and members of the Supreme Court, elected State officials, members of the Cabinet, Senators and Representatives and fellow Montanans.

In his first inaugural address in 1801, President Thomas Jefferson spoke of "wise and frugal government" and these words reaching across time are a concise and profound challenge to all of us who will work this winter to determine the emphasis and direction of public policy in Montana.

The program I am submitting to the 46th Legislature has a singular purpose. It is intended to respond to the timeless recommendation of Thomas

Jefferson and the practical necessity of today by maintaining wise and frugal government in this state. The program meets the test of wisdom by honoring our commitment to continue to work for social, economic and environmental progress in Montana. And it answers the question of frugality by proposing a bottom-line budget — the lowest practical level at which state government can be financed without eliminating or dangerously reducing essential programs.

The budget I am proposing to the legislature emphasizes economy in government. It is based on this administration's belief that government can be better without becoming bigger and that Montanans can receive more for their tax dollars. It is necessary at this time to establish an equilibrium between program requirements and the need to limit spending and levels of taxation. And the program I am recommending to the legislature is intended to strike this balance.

Under this budget, there will be no general tax increase in Montana during the next biennium. State government will be financed for the next two years at the basic income tax rates that have been in effect since 1971.

The budget provides tax relief for Montana homeowners. In the current biennium, approximately $25.3 million was distributed to Montanans under the Homestead Property Tax Relief Act. This measure, which was approved by a huge majority of the electorate in 1976, provided the typical Montana homeowner with direct property tax relief that averaged $90 a year during the biennium. This program is supported by the public, it is in place, it works and it should be continued next year. The executive budget will provide $12 million for this program in the first year of the biennium, which means that the average homeowner will receive approximately $80 in direct property tax relief.

It appears that it will be impossible to continue Homestead Relief in the second year of the biennium because other programs cannot in good conscience be eliminated or further reduced.

I am proposing, however, a spending limitation bill. This legislation will establish a ceiling on government spending based on the growth of personal income in the state, and it will also provide that any revenues in excess of the limitation will go into a special fund dedicated to tax relief. For several years, Montana's economy and tax base expanded faster than the rate of increase in government spending, and as a result, surpluses accumulated in the state treasury. Instead of spending these surpluses on government programs they were returned to the people in the form of tax relief. The spending limitation bill I will propose is intended to establish the procedure in Montana law by creating a savings account through which the dividends of effective management and economic expansion will accrue to the taxpayers of this state.

The executive budget recommends increasing general fund appropriations by $18.3 million or 4 percent during the coming biennium. When a 6 to 7 percent rate of inflation is factored into the budgetary equation, the final number, the one that counts, represents a net reduction in the actual dollar cost of government for the next two years.

This budget is a product of necessity — a practical reaction to changing conditions. During the past six years, the economy and tax base in Montana have expanded at a rapid and steady rate. In the next two years, it is possible the rate of economic expansion will slow, and there will be a corresponding effect on tax collections and general fund revenues. This budget is intended to balance revenue projections with program expendi-

tures while providing a $12.3 million contingency reserve which is a minimum allowance for the unexpected.

In the preparation of the budget, cost containment guidelines were applied to each state agency and function. These guidelines included a six percent limitation on operating costs, reasonable increases for grants and local assistance, and up to 15 percent reductions in travel budgets.

Salary increases will be consistent with the President's guidelines for federal employees. Program expansions were allowed only if they were absolutely necessary, and budgets were not automatically maintained where reductions were possible without affecting service. Last summer, a moratorium on hiring was imposed in state government. As a result of the hiring freeze and continuing emphasis on reduced personnel costs, approximately 700 full-time equivalent positions will be eliminated from state government from this biennium to the next. Many of these personnel reductions have already occurred. A large share of the remainder will be accomplished through attrition. And the net effect will be a decrease of approximately 5 percent in the number of state employees.

This budget is intended to maintain the progress that has been achieved by government in Montana during the past six years. At the same time, however, it represents a practical perspective of the hard facts of government finance. It is a cautious, consistent and correct answer to the question of controlling the cost and maintaining the effect of state government.

I have reviewed every agency budget. I am confident that these recommendations represent the lowest possible level at which state government can be financed without damaging required programs. If the members of the legislature identify expenditures that can be eliminated or reduced without adversely affecting programs, I will cooperate to include these changes in the final budget.

During the election campaign and in recent weeks, there has been discussion in both parties of a plan to eliminate the 10 percent income tax surcharge and increase the personal exemption. These measures would have a $40 to $50 million negative impact on general fund revenues for the biennium. A reduction of this magnitude would necessitate program cuts that would be the equivalent of eliminating 10 departments of state government, or five units of the University system or 9 custodial institutions. It would precipitate a budgetary crisis that would take years to rectify. And it would return Montana to the dark ages when government was powerless and the economic interests dominated the state.

If the legislature intends to reduce taxes beyond my recommendations, it must also accept the responsibility to inform the public where the cuts will occur and what the consequences will be for programs and services. I will oppose any tax reduction measure that does not maintain adequate funding for essential state services. I will fight any measure that will impose a fiscal crisis on state government and nullify the progress we have achieved in Montana.

I will veto any tax reduction measure that does not meet these conditions.

In the past six years Montana has established laws to protect the environment while developing our resources, to promote new markets for agricultural commodities and other products, to improve education and institutional care, to apply modern management procedures to the business of government and to meet the responsibilities imposed by time and circumstance.

These bold initiatives and new programs have been financed with a fair and reasonable tax system, and Montanans have not been subjected to the conditions that inspired the angry public reaction to government spending in other states. By increased funding to our schools the state has alleviated pressures on the local tax base. And as a result of the continuing emphasis on economical government, the per capita state tax obligation in Montana is among the lowest in the nation.

Montana has traditionally supported quality education for our children at all levels. In the past six years, state aid to elementary and secondary education and the University system has been doubled. We have also made significant progress in funding vocational technical programs and special education for the handicapped. Approval by the voters in the last election of the six mill levy to supplement funding for the University system is conclusive proof that Montanans continue to support quality education. The budget I am submitting for your consideration proposes moderate increases in funding for the school foundation program, University system, and vocational technical education. It is intended to maintain our commitment to education and the young people of Montana.

The tremendous improvements that have been made in our state institutions in recent years represent an expression of compassion and concern of which this administration and the members of the legislature can be justifiably proud. Montana provides quality care and treatment for the sick, the truly needy, the mentally ill and handicapped and those afflicted by addictive diseases. Increasingly, this assistance is being provided in community based facilities. Montana's deinstitutionalization program, which places people in community based facilities, is one of the best in the nation according to the Department of Health, Education and Welfare. And the fact that better care is provided at a reduced cost proves that government can do a better job if it has the time and commitment.

This administration has a continuing commitment to quality treatment and care for the disadvantaged and because of the critical importance of these programs, I will submit to the legislature next week a special report on conditions at the state institutions.

The budget recommends a $19.8 million Long Range Building Program directed to maintenance of existing facilities, and includes a provision which would allow the legislature to authorize the sale of bonds totaling $10 million for major projects throughout the state.

Since 1972, Medicaid costs have increased from $13.7 million to $55.6 million, which is a rate far in excess of the spiral of inflation. We are proposing a program to control Medicaid costs by eliminating some optional services. The purpose of this program is to control the cost of Medicaid while continuing to provide the services required by needy Montanans.

Too many elderly Montanans living on fixed incomes are finding it very difficult to pay their real property taxes. Therefore, I urge your support of a measure that would allow them the option of deferring payment of these taxes. Under this program, the state would reimburse the affected counties during the deferral period.

Agriculture is Montana's most important industry, generating more than a billion dollars a year in cash receipts. During the past year, I have met on several occasions with the President, Secretary of Agriculture, farm state Governors and Congressional committees. The purpose of these meetings was to present the case for Montana agriculture by arguing for better price supports for grain, an international wheat agreement, liberalized farm

credit and restrictions on beef imports. We have made significant progress toward several of these objectives, but the fight must continue.

I believe the future of agriculture in Montana and across the country depends on market development and the expansion of export trade, rather than the whims of an urban dominated Congress.

The state is actively involved in foreign market development. During the past several years, we negotiated two sales of Montana wheat to Taiwan totaling approximately $15 million and have identified other market prospects overseas.

The Old West Regional Commission, of which Montana is a member, has made major new initiatives in foreign trade. A beef marketing and promotion program has been established in Japan. The commission has also assigned full-time representatives to Europe and Japan to expand agricultural exports and trade in these markets.

Rail transportation is critically important to agriculture and the entire economy of Montana, and the proposed abandonment of the Milwaukee Road from Minneapolis to the West coast is a serious and immediate problem. The Milwaukee employs about 750 people in Montana, serves 23 counties, and is obligated for approximately $750,000 per year in property taxes. If the railroad is abandoned, Montana will lose jobs, vital shipping capacity, local tax revenues and the advantage of competition. And I do not believe that we can accept these consequences without investigating every practical alternative to abandonment.

With a grant from the Old West Regional Commission, the member states are evaluating the economic feasibility of reorganizing the Milwaukee from Minneapolis to the Pacific coast. If this proves to be a workable prospect, we will submit a plan to the federal bankruptcy court and the Interstate Commerce Commission, with the intention of keeping the railroad operating.

Montana must proceed with a state rail plan. After the 1977 Legislature rejected rail planning, a budget amendment was approved allowing expenditure of $241,000 in federal funds for this purpose. I urge you to support continuation of this effort because the plan is important to future rail service in Montana.

Under deregulation of the airline industry, significant changes could occur in service to Montana. We will fight to maintain and expand airline routes serving the state.

On January 15th, I will appear at a Civil Aeronautics Board hearing in Seattle on Service to Small Communities, to present the case for a number of service areas in Montana, which could ultimately be disrupted by the new U.S. domestic deregulation policy.

Through the work of the legislature and this administration in recent years, Montana has become a national leader in the cause of environmental protection and intelligent resource development. This commitment must be reaffirmed.

In 1974, I asked the legislature to impose a three-year moratorium on large scale diversions of water from the Yellowstone River Basin, and in 1977, we received an additional one-year extension.

I am pleased that the Board and Department of Natural Resources have completed the enormous job of allocating water from this basin to protect the interest of agriculture, cities and towns, fish and wildlife, recreation, industry and also to provide for future demands.

Montana is also providing loans and grants for water development projects and initiating a federally funded dam inspection program. In addition, the Department of Natural Resources has developed a promising plan to install hydroelectric generating capacity at three dams in the state. This project would make new supplies of energy available and help defray the cost of maintenance through the sale of electrical power.

The Pacific Northwest and areas of Montana have long been supplied by the Bonneville Power Administration with low cost hydroelectric power from dams in the Columbia River Basin. Because demand is exceeding supply in the region, two proposals were submitted to Congress last year which would have given the BPA enormous powers to dictate energy planning policies in the Pacific Northwest. We opposed both of these proposals because they would have preempted the rights of the states to control energy development. At the present time, the Department of Natural Resources is working with other states in the Columbia Basin to develop federal energy legislation that represents the interests of Montana and the region. And we are hopeful an acceptable bill can be presented to Congress this session.

This administration supports continuation of an impact assistance program funded by the Montana coal severance tax. In order to avoid the serious social and economic problems other states have experienced as a result of energy development, we must have an impact assistance program. Without this program, Montana will not qualify for federal grants which I expect will be approved by Congress this year. It is also possible that a major revision of the distribution formula would jeopardize Montana's position in the legal challenge of the coal severance tax.

The coal severance tax is a fair and just expression of the state's right to establish policy and determine the destiny of Montana. The executive budget includes a recommendation to provide additional financing to defend the severance tax in the court challenge initiated by the coal and utility companies. We will defend the coal tax with every resource available to state government.

Montana resource laws exemplify this state's will to avoid the exploitive practices that have dominated our history. I will resist any attempt to repeal or weaken the facility siting and reclamation laws, air and water pollution standards, taxing authority and other measures intended to protect Montanans and their interest in this state.

I also urge you to approve the amendments to the Montana Reclamation law necessary to secure approval of our program by the Department of Interior. Approval of the program is a condition of state enforcement and these changes are required to assure that the law is administered by and for Montanans.

Last spring, I directed a committee representing the resource agencies of state government and my office to develop recommendations for the allocation of wilderness lands in Montana. These recommendations were submitted to the U.S. Forest Service as part of the Roadless Area Review and Evaluation process.

The committee reviewed every roadless area in the state, met with representatives of the forest products, mining, petroleum and livestock industries and the wilderness and recreational vehicle organizations, and it based its final recommendations on this comprehensive analysis.

Yesterday, I met with representatives of the Forest Service, and I am pleased to report that their recommendations to Congress will, with few

exceptions, closely follow the proposal developed by the Montana Wilderness Committee.

I would like to commend the committee for an excellent job in evaluating areas for wilderness designation.

Montana's fish and wildlife are one of this state's most important resources. During this administration, the Fish and Game Department has acquired 57 fishing access sites, 70,431 acres of big game range and 28 new state parks, including such areas as Wild Horse Island, the Rosebud Battlefield, Mt. Haggin Ranch, and Martinsdale Lake. The department is also working to improve landowner-sportsmen relationships. These programs represent significant progress in our effort to improve outdoor recreation for Montanans.

The people of this state have always helped the needy, the ill and the disabled, and this is the primary reponsibility of the Department of Social and Rehabilitation Services. In the past year, the Work Incentive Program has been successful in helping welfare recipients find jobs, and by reducing the number of people dependent on the system it saved the state approximately $2.5 million. We are also imposing management controls to eliminate abuses and control costs without compromising our commitment to help people.

The recent Governor's Conference on Families examined the strengths of Montana families, the difficulties they face and the ways in which they are affected by public policy. I am concerned about the impact of public policies on families and believe that a task force on this most important social institution would be beneficial to Montana.

This administration reaffirms its longstanding commitment to the Equal Rights Amendment and to equal employment opportunities for all Montanans.

In the State of the State address in 1975, I proposed a state Housing Authority to provide low interest loans to Montanans who normally could not have purchased a home. This program works. It has financed approximately 1,800 homes in Montana and has a double A bond rating, which is among the best in the country. Because of the success of the program and the shortage of affordable housing, I am requesting an increase in the lending authorization to $375 million. This will allow us to finance additional single-family homes and multi-family units for elderly and low income Montanans.

I'd like to call your attention to the tremendous performance of Montana's State Investment Program. Although Representative Bardanouve sponsored the act in 1965, it wasn't until 1972 that we were successful in consolidating the state investment program under a professional staff and an excellent board.

In this biennium, the state investment program will contribute $22 million to the general fund, and this is revenue that is not raised by taxes. This is a profound example of what I mean by effective management.

Under the new Surface Transportation Act passed by Congress last year, there is a one-time infusion of federal funds available to states to complete the Interstate system. To qualify for this program and complete the Interstate system, an additional $5 million in state matching funds will be needed annually for the next four years. Therefore, I am recommending a one cent increase in the motor fuel tax for a period of four years. We can then be assured of a completed Interstate system which will save lives,

generate a significant amount of money in Montana's economy and allow the Highway Department to continue the task of improving the state's primary and secondary roads.

Since it was created by the last legislature, the Office of Commerce and Small Business Development, in cooperation with the Council of Economic Advisors, has been involved in the creation or expansion of numerous small businesses in Montana. The office has provided direct assistance to many businesses in the state, saved or created hundreds of jobs, and has been involved in ten urban redevelopment projects. The office is working to eliminate unnecessary rules and regulations on business and to simplify licensing procedures.

I urge your support of this program intended to diversify and develop Montana's economy by assisting business and industry appropriate for Montana communities.

Montana's travel promotion program has been successful in generating over $350 million a year to the Montana economy, which easily justifies the expenditures for this program.

The questions of how Montana can create new job opportunities and diversify our economic base without sacrificing the quality of life that makes our state a special place in which to live are being addressed by the Governor's Committee on Balanced Growth. Last month we held meetings all across Montana to involve the public in these questions and to solicit opinions on what our state needs for this and future generations.

At the beginning of this new year, Montanans have every reason to be optimistic about the condition of our state. There are more people working today than at any time in Montana's history. We have avoided many of the problems afflicting other states.

Montana is today a good and decent place in which to live and raise a family. Montanans have a tradition of self-reliance, and they have insisted that state government write laws and establish policies which reflect that independence. Montana people have had a real opportunity to participate in the decisions that affect their lives and their futures and they have exercised that right.

We have a government that is efficient, that is capable of dealing with the problems of today and realizing the opportunities of tomorrow — a government that listens to and cares about people.

The Legislature represents the vast diversity of this state. You were elected by people from all walks of life. People who are kind and compassionate, hard-working, and proud, who love this state. They deserve the best from all of us who hold public office.

The people will judge the 46th Legislature by whether it meets the needs of the state — reflects the views and values of the citizens, and responds effectively to their needs and problems.

Toward that end, I pledge you my complete cooperation and wish you well in your deliberations.

The State of the State is good. You and I share a mutual obligation to keep it that way.

The Governor was escorted from the Chambers.

Senator Stephens moved that the Forty-sixth Legislature in Joint Session this day, authorize the publication of 500 copies of Governor Judge's State of the State Address. Motion carried.

Joint Session adjourned at 11:44 a.m.

Speaker Gerke then called the House to order at 11:55 a.m.

Dussault moved that the House adjourn until 9:00 a.m., Saturday, January 6, 1979.

Motion carried.

House adjourned at 12:02 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

FOURTH LEGISLATIVE DAY

Helena, Montana
January 6, 1979

House Chambers
Capitol Building

House convened at 8:59 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Brand, Burnett, Fagg, Harrington, Jensen, Keyser, Seifert, Waldron, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Metcalf, Chairman): 1/6/79

Respectfully recommend that the attaches approved by the Committee on Legislative Administration be approved by this Body:

Shelley Immel .....Clerk Typist
Dorothy Higgins .....Stenographer
Lois South .....Committee Secretary, Labor
Becky Meyer .....Permanent Page, Minority Leader

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bill was introduced, read first time and referred to committee:

HB 1, introduced by Bardanouve. Referred to Committee on Appropriations.

At this time, committee meeting announcements were made.

MOTIONS

Dussault moved that Joint Rule 6-6 be suspended for the purposes of allowing the addition of sponsors' signatures on prefiled HB 3, HB 4, HB 5, HB 6, HB 7, HB 8, HB 10, HB 11, HB 12, HB 13, HB 14, HB 15, HB 16, HB 17, HB 18, HB 19, HB 20, HB 21, HB 22, HB 23, HB 24, HB 25, HB 26, HB 27, HB 28, HB 29, HB 30, HB 31, HB 32, HB 33, HB 34, HB 35, HB 36, HB 37, HB 38, HB 39, HB 40, HB 41, HB 42, HB 43, HB 44, HB 45, HB 46, HB 47, HB 48, HB 50, HB 51, HB 52, HB 53, HB 54, HB 55, HB 56, HB 57, HB 58, HB 59, HB 60, HB 61, HB 62, HB 63, HB 64, HB 65, HB 66, HB 67, HB 68, HB 69, HB 70, HB 71, HB 72, HB 73, HB 74, HB 75, HB 76, HB 77, HB 78. Motion carried. (89-0)

Dussault moved that the House adjourn until 4:00 p.m., Monday, January 8, 1979.

Motion carried.

House adjourned at 9:14 a.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

FIFTH LEGISLATIVE DAY

Helena, Montana
January 8, 1979

House Chambers
Capitol Building

House convened at 3:59 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Williams, Menahan, Keyser, excused; Hayne, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the First, Second, Third and Fourth Legislative Days, find the same to be correct.

METCALF, Chairman

COMMUNICATIONS AND PETITIONS

Memorandum from the Department of Administration to Speaker Gerke dated December 22, 1978 regarding Transmittal of Bad Debt Write-Off Requests.

Pursuant to Section 82-110(3), R.C.M. 1947, we are herewith transmitting Bad Debt Write-Off Requests which have been approved as indicated. These requests begin with number 4 as 1-3 were transmitted to the 1977 Legislature.

A copy of our letter of December 30, 1974, establishing the write-off procedures, and subsequent correspondence, has been included for your information.

MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted to the House for concurrence: 1/8/79

Senate Bill No. 1, introduced by Graham

Senate Bill No. 66, introduced by McCallum

Menahan, Hayne, Williams present at this time.

MOTIONS

Dussault moved that the Journal reflect the following corrections:

On the Third Legislative Day Representative Hand be recorded as present.

On the Fourth Legislative Day Representative Burnett be recorded as excused.

On the Fourth Legislative Day Representative Huennekens be recorded as present.

On the First Legislative Day Representatives Keyser and Teague be recorded as having taken the Oath of Office.

On each legislative day that Representative Keyser be recorded as excused.

Motion carried.

Dussault moved that Joint Rule 6-6 be suspended to allow the introduction of bills in triplicate rather than quadruplicate. Motion carried.

Dussault moved that the Journal of the Third Legislative Day be corrected to reflect Representative Hand present at roll call and that the Journal of the Fourth Legislative Day be corrected to reflect Representative Burnett excused. Motion carried.

Quilici moved that HB 71 be rereferred from the Committee on Business and Industry to the Committee on State Administration. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 79, introduced by Marks, Kvaalen, Manuel, Vincent. Referred to Committee on Appropriations.
HB 80, introduced by Dassinger, (By Request of the Department of Revenue). Referred to Committee on Taxation.
HB 81, introduced by Hurwitz, (By Request of the Interim Subcommittee on Subdivision Laws). Referred to Committee on Local Government.
HB 82, introduced by Gerke, Dussault. Referred to Committee on State Administration.
HB 83, introduced by Scully, (By Request of the Attorney General). Referred to Committee on Judiciary.
HB 84, introduced by Lory, (By Request of the Interim Subcommittee on Subdivision Laws). Referred to Committee on Local Government.
HB 85, introduced by Huennekens, Fabrega, Vincent, (By Request of the Revenue Oversight Committee). Referred to Committee on Taxation.
HB 86, introduced by Huennekens, (By Request of the Department of Revenue). Referred to Committee on Taxation.
HJR 1, introduced by Gerke, Metcalf, Lory. Referred to Committee on Appropriations.
HJR 2, introduced by Scully. Referred to Committee on Judiciary.
HR 1, introduced by Dussault. Referred to Committee on Rules.

The following Senate bills were introduced, read first time and referred to committees:

SB 1, introduced by Graham, (By Request of the Code Commissioner). Referred to Committee on Judiciary.
SB 66, introduced by McCallum. Referred to Committee on Local Government.

Dussault moved that the House stand in recess to allow the Rules Committee and the Judiciary Committee to meet for the purposes of executive committee action. Motion carried.

House at ease at 4:14 p.m., subject to the call of the Chair.

House resumed at 4:35 p.m.

REPORTS OF STANDING COMMITTEES

Do Pass

JUDICIARY (Scully, Chairman): 1/8/79
SB 1, do pass. Report adopted.

RULES (Dussault, Chairman): 1/8/79
HR 1, introduced bill, be amended as follows:

1. Page 1, line 17.
Following: "shall"
Insert: "be the"

2. Page 3, line 14.
Following: "committee"
Insert: "by motion duly made on order of business No. 6"

3. Page 4, line 9.
Following: "covered"
Insert: "by these rules."

And as amended, be adopted. Report adopted.

MOTIONS

Dussault moved that the rules be suspended and that SB 1, HR 1 be placed on Second Reading this day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Metcalf in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 1 be concurred in. (99-0)

That HR 1 be adopted. (76-22)

That the Committee rise and report. (Metcalf, Chairman). Report adopted.

MOTIONS

Scully moved that the Journal reflect the adoption of the Standing Committee Reports on SB 1, HR 1. Motion carried. (97-0)

Dussault moved that the rules be suspended and SB 1 be placed on Third Reading of Bills this day. Motion carried. (98-0)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 1 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South,

Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Keyser.
Total 1

Absent or not voting: Sales.
Total 1

COMMUNICATIONS AND PETITIONS

The Speaker announced the following committee member changes:

Quilici, Spilker from Local Government to Natural Resources.

Kropp off Natural Resources to await committee assignment.

Dussault moved that the House adjourn until 4:00 p.m., Tuesday, January 9, 1979.

Motion carried.

House adjourned at 5:52 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

SIXTH LEGISLATIVE DAY

Helena, Montana
January 9, 1979

House Chambers
Capitol Building

House convened at 4:01 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Williams, absent. Quorum present.

REPORTS OF STANDING COMMITTEES

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Metcalf, Chairman): 1/9/79

Respectfully recommend that the attaches approved by the Committee on Legislative Administration be approved by this Body:

Bob Wilcox .....Doorman
Linda Blessinger .....Secretary to Minority Whip

Report adopted.

Do Pass

APPROPRIATIONS (Bardanouve, Chairman): 1/9/79
HB 1, do pass. Report adopted.
HJR 1, do pass. Report adopted.

LOCAL GOVERNMENT (H. Robbins, Chairman): 1/9/79
HB 47, do pass. Report adopted.
SB 66, be concurred in. Report adopted.

MOTIONS

Dussault moved that the rules be suspended and SB 66, HB 1, HJR 1 be placed on Second Reading this day. Motion carried. (98-0)

Huennekens moved that HB 53 be rereferred from the Committee on Taxation to the Committee on Labor and Employment Relations. Motion carried.

Shelden moved that HB 43 be rereferred from the Committee on Natural Resources to the Committee on Local Government. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

HB 87, introduced by Gould, Metcalf. Referred to Committee on State Administration.
HB 88, introduced by Waldron. Referred to Committee on Judiciary.
HB 89, introduced by Burnett, Wyrick, Roth, Curtiss, K. Robbins, Thoft, Hurwitz, Nathe, Staigmiller, Lund, Jensen. Referred to Committee on Business and Industry.
HB 90, introduced by Yardley. Referred to Committee on Judiciary.
HB 91, introduced by Pistoria, Manning. Referred to Committee on Local Government.
HB 92, introduced by H. Robbins, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Business and Industry.

HB 93, introduced by Pistoria. Referred to Committee on Local Government.

HB 94, introduced by Nordtvedt, (By Request of the Department of Revenue). Referred to Committee on Taxation.

HB 95, introduced by Scully, (By Request of the Department of Revenue). Referred to Committee on Judiciary.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Kvaalen in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 66, third reading copy, be amended as follows:

1. Title, line 6.
Following: "TO"
Strike: "JANUARY 1, 1979"
Insert: "THE EFFECTIVE DATE OF THIS ACT"

2. Title, line 6.
Following: "17-5-204"
Insert: "AND 17-5-205"

3. Title, line 7.
Following: line 6
Strike: "REPEALING SECTION 17-5-205, MCA;"

4. Page 1, line 17 and line 18.
Following: "(2)"
Strike: "This part applies to bonds issued and proceedings taken prior to January 1, ~~1977~~ 1979."

5. Page 1, lines 21 through 22.
Following: "Section 2."
Strike: remainder of lines 21 through 22 in their entirety
Insert: "Section 17-5-205, MCA, is amended to read:

"17-5-205. Application. The application of the Bond Validating Act, Title 17, chapter 5, part 2, as hereby amended, is extended to bonds issued and proceedings taken prior to ~~July 1, 1977~~ [the effective date of this act]."" (96-0)

And as amended, be concurred in. (98-0)

That HB 1 be amended as follows:

1. Page 1.
Following: line 17
Insert: "Legislative Fiscal Analyst 22, 420" (95-0)

And as amended, do pass. (94-4)

That HJR 1 do pass. (91-5)

That the Committee rise and report. (Kvaalen, Chairman). Report adopted. (95-1)

MOTIONS

Dussault moved that the rules be suspended and SB 66, HB 1, HJR 1 be placed on Third Reading this day. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 66 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Marks.
Total 1

House Bill No. 1 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley.
Total 93

Noes: Burnett, Nathe, Smith.
Total 3

Excused: None.
Total 0

Absent or not voting: Hurwitz, Marks, Oberg, Mr. Speaker.
Total 4

House Joint Resolution No. 1 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Burnett, Nathe, Roth, Sales, Smith, Vinger.
Total 6

Excused: None.
Total 0

Absent or not voting: Marks.
Total 1

UNFINISHED BUSINESS

Keyser thanked the Speaker and members of the House for the flowers and cards while he was in the hospital.

COMMUNICATIONS AND PETITIONS

The Honorable Harold E. Gerke 1/8/79
Speaker of the House of Representatives Re: Senate Bill 1
Capitol Building
Helena, MT 59601

Dear Sir:

The House Committee on Judiciary, January 8, 1979, voted unanimously that it is the committee recommendation and intent that the Montana Code Annotated and Ancillary Publications be made available at cost to all state or local governmental agencies that are supported by public funds.

The committee also desires that this letter be included in the House Journal.

Repectfully submitted,

John P. Scully
Chairman

Dussault moved that the House adjourn until 4:00 p.m., January 10, 1979.

Motion carried.

House adjourned at 5:06 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

SEVENTH LEGISLATIVE DAY

Helena, Montana
January 10, 1979

House Chambers
Capitol Building

House convened at 3:59 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Ellerd, excused. Quorum present.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

HB 96, introduced by K. Robbins, Thoft, (By Request of the Department of Revenue). Referred to Committee on Judiciary.
HB 97, introduced by Feda, Vinger, Menahan. Referred to Committee on Fish and Game.
HB 98, introduced by Bardanouve. Referred to State Administration.
HB 99, introduced by Ellison, Bertelsen, Hurwitz. Referred to Committee on Agriculture, Livestock and Irrigation.
HB 100, introduced by Keyser, Lund, Donaldson, Spilker, Kanduch, Kvaalen, Meyer, Smith, K. Robbins, Teague, (By Request of the Attorney General). Referred to Committee on Highways and Transportation.
HB 101, introduced by Vincent, Bardanouve, Huennekens. Referred to Committee on Agriculture, Livestock and Irrigation.
HB 102, introduced by Dassinger, Teague, Day, Bengtson, Frates, Baeth, Shelden, Dozier, Huennekens, South, Brand, Manning, Kessler, McBride, Reichert, H. Robbins, Oberg, Gilligan, Pistoria, Waldron, Gesek, Hirsch, Holmes. Referred to Committee on Taxation.
HB 103, introduced by Kvaalen, Lien. Referred to Committee on Education.
HB 104, introduced by Pavlovich, (By Request of the Attorney General). Referred to Committee on Business and Industry.
HB 105, introduced by Burnett, Iverson, Johnston. Referred to Committee on Education.
HB 106, introduced by Kessler, Vincent, Shelden, McBride, Huennekens, Harrington, Frates, Dozier, Cooney, (By Request of the Department of Fish and Game). Referred to Committee on Taxation.
HB 107, introduced by Hurwitz, Donaldson, Sales, Ellison, Jensen, Stobie, Porter, Marks. Referred to Committee on Education.
HJR 3, introduced by Marks, Spilker, Conroy, Wyrick, Keyser, Kropp, Roth, Schultz, Bennett, Johnston, Staigmiller, Scully, Ellison, Ernst, Kanduch, Iverson, Uhde, Fagg, Ramirez, Sales, Hemstad, Moore, Fabrega, Nordtvedt, Nathe, Thoft, Vinger, Feda, Lund, Seifert, K. Robbins, Hurwitz, Azzara, Donaldson, Lory, Manuel, Manning, Kvaalen, Wood, Lien, Smith, Burnett, Porter, Stobie, Hayne, Underdal, Gould, Sivertsen, Pavlovich. Referred to Committee on State Administration.
HJR 4, introduced by Scully. Referred to Committee on Business and Industry.

REPORTS OF STANDING COMMITTEES

Examined by the Sponsor and found to be correct - HR 1.

BILLS (Metcalf, Chairman): 1/10/79

Correctly enrolled - HR 1.

Will be signed by the Speaker on adjournment, 1/10/79 - HR 1.

Signed by the Speaker at 2:32 p.m., 1/10/79 - SB 1.

At this time, announcements were made.

COMMUNICATIONS AND PETITIONS

The Speaker announced the following appointments to interim legislative committees:

Representative Joe Quilici - Legislative Consumer Committee
Representative Burt Hurwitz - Western States Forestry Task Force
Representative Chris Stobie - Administrative Code Committee

REPORTS OF STANDING COMMITTEES

BILLS (MAGONE, Vice-Chairman): 1/10/79
Correctly printed - HB 47.

Dussault moved that the House adjourn until 4:00 p.m., January 11, 1979.

Motion carried.

House adjourned at 4:14 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

EIGHTH LEGISLATIVE DAY

Helena, Montana
January 11, 1979

House Chambers
Capitol Building

House convened at 4:13 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Ellerd, Kemmis, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Fifth, Sixth and Seventh Legislative Days, find the same to be correct.

METCALF, Chairman

COMMUNICATIONS AND PETITIONS

The Speaker announced the following appointment to the Legislative Audit Committee:

Joe Tropila

REPORTS OF STANDING COMMITTEES

Signed by the Speaker on adjournment, 1/10/79 - HR 1.

BILLS (Metcalf, Chairman): 1/12/79
Delivered to the Governor for his approval at 4:35 p.m., 1/12/79 - HB 1.

Do Pass

BUSINESS AND INDUSTRY (Quilici, Chairman): 1/11/79
HB 14, second reading copy, be amended as follows:

1. Page 2, line 21.
Following: "of"
Insert: "pit run or processed"

2. Page 2, line 23.
Following: "rock,"
Strike: "pit run,"
Following: "buildings"
Insert: "and structures"

3. Page 2, line 25.
Following: "and"
Strike: "all"
Insert: "other"

4. Page 2, line 25.
Following: "of"
Strike: "excavation"

5. Page 2, line 25.
Following: "materials"
Insert: "transported solely for the purpose of excavation or fill"

And as amended, do pass. Report adopted.

HUMAN SERVICES (Holmes, Chairman): 1/10/79
HB 40, introduced bill, be amended as follows:

1. Page 2, lines 3 and 4.

Following: "by the"
Strike: "board of directors of the Montana senior citizens association"

Insert: "governor's commission on aging"

And as amended, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

Bill concurred in by the Senate and returned to the House: 1/11/79

House Bill No. 1, introduced by Bardanouve

Resolution concurred in by the Senate and returned to the House for concurrence in Senate Amendments: 1/11/79

House Joint Resolution No. 1, introduced by Gerke, et al

House Amendments concurred in by the Senate and returned to the House: 1/11/79

House Amendments to Senate Bill 66, introduced by McCallum

MOTIONS

Dussault moved that rules be suspended to allow consideration of SA to HJR 1, SJR 2 on Second Reading this day. Motion carried.

Dussault moved that the rules be suspended and the Journal reflect that the following be added to House Rule H 1-3: no member may speak more than 5 minutes on any motion in Committee of the Whole, except for the person making the motion who may speak for five minutes on his opening and five minutes on his closing. Motion carried. (95-2)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

HB 108, introduced by Lien, Tropila. Referred to Committee on Business and Industry.
HB 109, introduced by Burnett, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Business and Industry.
HB 110, introduced by Burnett, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Business and Industry.
HB 111, introduced by Burnett, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Business and Industry.
HB 112, introduced by Ellis, Brand, Menahan, Meyer, Lund, (By Request of the Interim Committee on Human Services). Referred to Committee on Human Services. (Formerly Committee on Public Health, Welfare and Safety.)
HB 113, introduced by Bardanouve, (By Request of the Department of Administration). Referred to Committee on State Administration.
HB 114, introduced by Waldron. Referred to Committee on Local Government.
HB 115, introduced by Waldron. Referred to Committee on Human Services.
HB 116, introduced by South. Referred to Committee on Education and Cultural Resources. (Formerly Committee on Education.)

HB 117, introduced by Menahan, Ellis, Meyer, Brand, Lund, (By Request of the Interim Committee on Human Services). Referred to Committee on Appropriations.
HB 118, introduced by H. Robbins, Bertelsen, Lund, Kessler. Referred to Committee on Local Government.
HB 119, introduced by Roth, Nordtvedt, Curtiss, Seifert, Johnston, Ernst, Kessler, Schultz, Stobie, Hurwitz, Iverson. Referred to Committee on Judiciary.
HB 120, introduced by Hand, O'Connell, Ernst, Schultz, Johnston, Lien, Burnett, Keyser, Nathe. Referred to Committee on Business and Industry.
HB 121, introduced by Vincent, Dussault, Metcalf, McBride, Huennekens. Referred to Committee on Business and Industry.
HB 122, introduced by Dussault, (By Request of the Interim Subcommittee on Education). Referred to Committee on Education and Cultural Resources.
HB 123, introduced by Dussault, (By Request of the Interim Subcommittee on Education). Referred to Committee on Appropriations.
HB 124, introduced by, Oberg, Uhde, Nordtvedt, Cooney, Frates, Vincent, Eudaily, (By Request of the Department of Community Affairs). Referred to Committee on State Administration.
HB 125, introduced by Reichert, Kemmis, Rosenthal, Oberg, Fabrega, Porter, Waldron, H. Robbins, Hurwitz. Referred to Committee on Local Government.
HB 126, introduced by Nathe, (By Request of the Department of Public Service Regulation). Referred to Committee on State Administration.
HJR 5, introduced by Dussault, (By Request of the Interim Subcommittee on Education). Referred to Committee on Education and Cultural Resources.

Information announcements were made at this time.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 1/11/79
Correctly enrolled - HB 1.

Examined by the Sponsor and found to be correct - HB 1.

Signed by the Speaker during session, 1/11/79 - HB 1.

Do Pass

BUSINESS AND INDUSTRY (Quilici, Chairman): 1/11/79
HB 13, do pass. Report adopted.
HB 15, do pass. Report adopted.
HB 16, do pass. Report adopted.

Adverse Committee Reports

BUSINESS AND INDUSTRY (Quilici, Chairman): 1/11/79
HB 3, do not pass.

MESSAGES FROM THE GOVERNOR

The Honorable Harold Gerke 1/11/79
Speaker of the House
Montana House of Representatives
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that I have signed the following measure this date.

House Bill No. 1

Sincerely,

THOMAS L. JUDGE
Governor

Kemmis present at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Harper in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 47 do pass. (96-0)

That SA to HJR 1 be concurred in. (94-0)

That the Committee rise and report. (Harper, Chairman). Report adopted. (94-0)

MOTIONS

Dussault moved that the rules be suspended and HB 47, SA to HJR 1 be placed on Third Reading this day. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 47 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Bardanouve, Ellerd, Harrington, Manning, Seifert.
Total 5

Senate Amendments to House Joint Resolution No. 1 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Bardanouve, Ellerd, Harrington, Scully.
Total 4

The House stood at ease at 4:47 p.m. awaiting receipt of a bill from the Senate.

The House recessed until 5:15 p.m.

The House reconvened at 5:16 p.m.

MESSAGES FROM THE OTHER HOUSE

Resolution passed by the Senate and transmitted to the House for concurrence: 1/11/79

Senate Joint Resolution No. 2, introduced by Stephens

FIRST READING AND COMMITTMENT OF BILLS AND RESOLUTIONS

The following Senate bill was introduced, read first time and referred to committee:

SJR 2, introduced by Stephens. Referred to Committee on Rules.

Dussault announced that there would be a House Rules Committee meeting immediately.

House at ease 5:18 p.m.

House reconvened at 5:23 p.m.

REPORTS OF STANDING COMMITTEES

Do Pass

RULES (Dussault, Chairman): 1/11/79
SJR 2, be concurred in. Report adopted. (83-0)

MOTIONS

Dussault moved that the rules be suspended and SJR 2 be placed on Second Reading this day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Harper in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SJR 2 be concurred in. (93-1)

That the Committee rise and report. (Harper, Chairman). Report adopted. (96-0)

MOTIONS

Dussault moved that the rules be suspended and SJR 2 be placed on Third Reading this day. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Joint Resolution No. 2 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Ellerd, Fagg.
Total 2

Dussault moved that the House adjourn until 4:00 p.m., January 12, 1979.

Motion carried.

House adjourned at 5:34 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

NINTH LEGISLATIVE DAY

Helena, Montana
January 12, 1979

House Chambers
Capitol Building

House convened at 3:59 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Azzara, Burnett, Ellerd, Seifert, excused; Holmes, absent. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 1/12/79
Correctly printed - HB 13, HB 14, HB 15, HB 16, HB 40.
Correctly enrolled - HJR 1.

Examined by the Sponsor and found to be correct, 1/12/79 - HJR 1.

Will be signed by the Speaker on adjournment, 1/12/79 - SB 66, HJR 1.

Do Pass

STATE ADMINISTRATION (Brand, Chairman): 1/12/79
HB 52, do pass. Report adopted.

Adverse Committee Reports

STATE ADMINISTRATION (Brand, Chairman): 1/12/79
HB 58, do not pass.

Consent Calendar

Bills unanimously passed in committee and unanimously placed on Consent Calendar:

BUSINESS AND INDUSTRY (Quilici, Chairman): 1/12/79
HB 19, do pass. Report adopted.
HB 39, do pass. Report adopted.
HB 92, introduced bill, be amended as follows:

1. Page 2, line 12.
Following: "to"
Strike: "save"
Insert: "render"

And as amended, do pass. Report adopted.

TAXATION (Huennekens, Chairman): 1/12/79
HB 20, do pass. Report adopted.

MOTIONS

Dussault moved that the rules be suspended and HB 13, HB 14, HB 15, HB 16, HB 40 be placed on Second Reading this day. Motion carried.

Dussault moved that Joint Rule 10-1(7), page 46, line 18 be amended as follows:

Following: "then be"
Strike: "sent to engrossing, printed and" (94-0)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

HB 127, introduced by Metcalf, Ellis, (By Request of the Department of Fish and Game). Referred to Committee on Fish and Game.

HB 128, introduced by Harrington, (By Request of the Department of Revenue). Referred to Committee on Taxation.

HB 129, introduced by Pavlovich, (By Request of the Department of Labor and Industry). Referred to Committee on Labor and Employment Relations.

HB 130, introduced by Ramirez, Gerke. Referred to Committee on Natural Resources.

HB 131, introduced by Harper, Scully, (By Request of the Department of State Lands). Referred to Judiciary.

HB 132, introduced by Eudaily, Kvaalen, Lory, Magone, Gilligan. Referred to Committee on Education and Cultural Resources.

HB 133, introduced by Eudaily, (By Request of the Attorney General). Referred to Committee on Judiciary.

HB 134, introduced by Hurwitz, Burnett, Thoft, (By Request of the Department of Livestock). Referred to Committee on Agriculture, Livestock and Irrigation.

HB 135, introduced by Nordtvedt, Iverson, Keedy, Sales. Referred to Committee on State Administration.

HB 136, introduced by Daily, (By Request of the Attorney General). Referred to Committee on Human Services.

HB 137, introduced by Harrington, Quilici, Daily, Cooney, McBride, Menahan, Kanduch, Huennekens, Vincent, Gilligan, Pavlovich, O'Connell. Referred to Committee on Taxation.

HB 138, introduced by Pistoria, Johnston, Vincent, Reichert, Brand, Hand. Referred to Committee on Judiciary.

HB 139, introduced by Pistoria. Referred to Committee on Local Government.

HB 140, introduced by Pistoria. Referred to Committee on Education and Cultural Resources.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Moore in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 13 do pass. (92-0)

That HB 14 do pass. (91-0)

That HB 15 do pass. (90-0)

That HB 16 do pass. (91-0)

That HB 40 do pass. (89-3)

That the Committee rise and report. (Moore, Chairman). Report adopted.

MOTIONS

Dussault moved that the rules be suspended and HB 13, HB 14, HB 15, HB 16, HB 40 be placed on Third Reading this day. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 13 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: None.
Total 0

Excused: Azzara, Burnett, Ellerd, Seifert.
Total 4

Absent or not voting: Gesek, Holmes, Kropp, Oberg.
Total 4

House Bill No. 14 was passed by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Azzara, Burnett, Ellerd, Seifert.
Total 4

Absent or not voting: Bardanouve, Brand, Holmes, Kropp, Kvaalen.
Total 5

House Bill No. 15 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride,

Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Azzara, Burnett, Ellerd, Seifert.
Total 4

Absent or not voting: Holmes, Kropp, Oberg.
Total 3

House Bill No. 16 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Azzara, Burnett, Ellerd, Seifert.
Total 4

Absent or not voting: Holmes, Kropp.
Total 2

House Bill No. 40 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Sales, Smith.
Total 2

Excused: Azzara, Burnett, Ellerd, Seifert.
Total 4

Absent or not voting: Ellis, Holmes, Kropp.
Total 3

REPORTS OF STANDING COMMITTEES

Do Pass

JUDICIARY (Scully, Chairman): 1/12/79

HB 4, do pass. Report adopted.
HB 5, do pass. Report adopted.
HB 6, do pass. Report adopted.
HB 8, do pass. Report adopted.
HB 41, do pass. Report adopted.
HB 83, do pass. Report adopted.
HJR 2, be adopted. Report adopted.
HB 7, introduced bill, be amended as follows:

1. Page 17, lines 5 and 6.
Following: "~~Montana~~"
Strike: "soldiers or sailors"
Insert: "military personnel"

2. Page 62, line 6.
Following: "admit"
Strike: "of"

And as amended, do pass. Report adopted.

HB 10, introduced bill, be amended as follows:

1. Page 6, line 9.
Following: "other"
Strike: "sections"
Insert: "parcel"

And as amended, do pass. Report adopted.

HB 32, introduced bill, be amended as follows:

1. Title, line 6.
Following: "COMPENSATION"
Insert: "BY CLARIFYING TERMINOLOGY,"

2. Title, line 8.
Following: "TO"
Strike: "COMPLY WITH FEDERAL"
Insert: "ADOPT"

3. Page 2, line 5.
Strike: "victim or"

4. Page 2, line 19.
Following: line 18
Strike: "victim"
Insert: "claimant"
Following: "which"
Strike: "he"
Insert: "was"

5. Page 3, lines 10 and 11.
Following: line 9
Strike: lines 10 and 11 in their entirety
Insert: "may include conduct arising out of the ownership, maintenance, or use of a motor vehicle only if the division determines that

the person responsible for the conduct acted purposely as defined in Title 45."

6. Page 4, line 17.
Strike: "or victim's"

7. Page 4, line 25 through page 5, line 1.
Strike: ", if there is such a requirement under federal law in order to receive federal funds,"

8. Page 5, lines 5 and 6.
Strike: ", if there is such a requirement under federal law in order to receive federal funds,"

9. Page 5, line 8.
Following: "of"
Insert: "a"

10. Page 7, line 12.
Strike: ", in the division's discretion,"

11. Page 7, line 17.
Following: line 16
Strike: "considers"
Insert: "finds"

And as amended, do pass. Report adopted.

HB 75, introduced bill, be amended as follows:

1. Page 2, line 16.
Following: "For the"
Strike: "purposes of"
Insert: "purpose of determining the number of convictions under"

And as amended, do pass. Report adopted.

Adverse Committee Reports

On motion by Quilici, the Adverse Committee Report on HB 3 was adopted by the following vote: (80-6)

Ayes: Anderson, Baeth, Bardanouve, Bengston, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Kemmis, Kessler, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Underdal, Vincent, Vinger, Wood, Yardley, Mr. Speaker.
Total 80

Noes: Hand, Johnston, Keyser, Sales, Tropila, Uhde.
Total 6

Excused: Azzara, Burnett, Ellerd, Seifert.
Total 4

Absent or not voting: Donaldson, Ellison, Feda, Gilligan, Holmes, Keedy, Kropp, Waldron, Williams, Wyrick.
Total 10

Dussault moved that the House adjourn until 9:00 a.m., January 13, 1979.

Motion carried.

House adjourned at 4:51 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

TENTH LEGISLATIVE DAY

Helena, Montana
January 13, 1979

House Chambers
Capitol Building

House convened at 9:00 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Azzara, Brand, Burnett, Ellerd, Ellison, Holmes, Kropp, Seifert, Thoft, Waldron, excused; Menahan, Teague, absent. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Magone, Vice-Chairman): 1/13/79
Correctly printed - HB 83, HJR 2.

Signed by the Speaker on adjournment, 1/12/79 - SB 66, HJR 1.

Adverse Committee Reports

Objection raised by Kanduch, Pavlovich, Daily, Magone, Keyser, Feda, Donaldson, Porter, Pistoria, Staigmiller on 1/13/79 on Adverse Committee Report on HB 58. Referred to Second Reading.

MESSAGES FROM THE GOVERNOR

Honorable Harold Gerke, Speaker
Montana House of Representatives
State Capitol
Helena, Montana 59601

January 12, 1979

Dear Mr. Speaker:

In accordance with the intention expressed in the State of the State Address last week, I hereby submit a Special Message on our state institutions and related programs for the consideration of the members of the 46th Legislature.

A sufficient number of copies have been provided to your office for each Senator and Representative, and I would appreciate your cooperation in distributing this message.

Sincerely,

THOMAS L. JUDGE
Governor

MESSAGES FROM THE OTHER HOUSE

The Senate informed the House that they have amended SJR 2, Joint Rule 10-1, as follows:

1. Page 46, line 18.
Strike: "sent to engrossing, printed, and"

MOTIONS

Dussault moved that the rules be suspended and HB 4, HB 5, HB 6, HB 8, HB 41, HB 52, HB 83, HB 19, HB 20, HB 39 be placed on Second Reading this day. Motion carried.

Brand, Teague present at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Fagg in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 4 do pass. (87-0)

That HB 5 do pass. (89-0)

That HB 6 do pass. (88-0)

That HB 8 do pass. (90-0)

That HB 41 do pass. (89-0)

That HB 52 do pass. (91-0)

That HB 83 do pass. (88-2)

That HB 19 do pass. (88-2)

That HB 20 do pass. (88-2)

That HB 39 do pass. (91-0)

That the Committee rise and report. (Fagg, Chairman). Report adopted. (90-0)

MOTIONS

Dussault moved that the rules be suspended and HB 4, HB 5, HB 6, HB 8, HB 41, HB 52, HB 83, HB 19, HB 20, HB 39 be placed on Third Reading this day. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 4 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Azzara, Burnett, Ellerd, Ellison, Holmes, Kropp, Seifert, Thoft, Waldron.
Total 9

Absent or not voting: None.
Total 0

House Bill No. 5 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Azzara, Burnett, Ellerd, Ellison, Holmes, Kropp, Seifert, Thoft, Waldron.
Total 9

Absent or not voting: None.
Total 0

House Bill No. 6 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: None.
Total 0

Excused: Azzara, Burnett, Ellerd, Ellison, Holmes, Kropp, Seifert, Thoft, Waldron.
Total 9

Absent or not voting: Tropila.
Total 1

House Bill No. 8 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson,

Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: None.
Total 0

Excused: Azzara, Burnett, Ellerd, Ellison, Holmes, Kropp, Seifert, Thoft, Waldron.
Total 9

Absent or not voting: Dozier, Hurwitz.
Total 2

House Bill No. 41 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Azzara, Burnett, Ellerd, Ellison, Holmes, Kropp, Seifert, Thoft, Waldron.
Total 9

Absent or not voting: None.
Total 0

House Bill No. 52 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.

Total 90

Noes: Bennett.
Total 1

Excused: Azzara, Burnett, Ellerd, Ellison, Holmes, Kropp, Seifert, Thoft, Waldron.
Total 9

Absent or not voting: None.
Total 0

House Bill No. 83 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Hand.
Total 1

Excused: Azzara, Burnett, Ellerd, Ellison, Holmes, Kropp, Seifert, Thoft, Waldron.
Total 9

Absent or not voting: None.
Total 0

House Bill No. 19 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 86

Noes: Keedy, Moore.
Total 2

Excused: Azzara, Burnett, Ellerd, Ellison, Holmes, Kropp, Seifert, Thoft, Waldron.
Total 9

Absent or not voting: Ellis, Kanduch, Oberg.
Total 3

House Bill No. 20 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 87

Noes: Conroy, Hand, Keyser, Smith.
Total 4

Excused: Azzara, Burnett, Ellerd, Ellison, Holmes, Kropp, Seifert, Thoft, Waldron.
Total 9

Absent or not voting: None.
Total 0

House Bill No. 39 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: None.
Total 0

Excused: Azzara, Burnett, Ellerd, Ellison, Holmes, Kropp, Seifert, Thoft, Waldron.
Total 9

Absent or not voting: Oberg.
Total 1

REPORTS OF STANDING COMMITTEES

Do Pass

STATE ADMINISTRATION (Brand, Chairman): 1/13/79
HB 22, introduced bill, be amended as follows:

1. Title, lines 8 through 10.
Following: "$50"
Strike: "; TO PROVIDE THAT NO POLITICAL SUBDIVISION OF THE STATE MAY IMPOSE A LICENSE FEE OR TAX ON LICENSED MASSAGE THERAPISTS;"

2. Page 2, lines 22 through 24.
Strike: subsection (3) in its entirety

And as amended, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

HB 141, introduced by Nordtvedt, (By Request of the Department of Revenue). Referred to Committee on Taxation.

HB 142, introduced by Jensen, Ellison, Spilker, Nordtvedt, Vinger, Nathe, Dassinger, Bertelsen, Seifert, Quilici, Hand, O'Connell, Conroy, Harrington, Stobie, Hurwitz. Referred to Committee on Education and Cultural Resources.

HB 143, introduced by Hand, Ernst, Schultz, Conroy, Johnston, Hurwitz, Roth, Burnett, Keyser, Nathe, Vinger, Kanduch, Gould, Jensen, Underdal, Hayne. Referred to Committee on Labor and Employment Relations.

HB 144, introduced by Hand, Ernst, Schultz, Johnston, Lien, Burnett, Nathe, Pistoria, Keyser, Underdal, Hayne, Hurwitz. Referred to Committee on Agriculture, Livestock and Irrigation.

HB 145, introduced by Scully, Moore, Dussault, (By Request of the Department of Fish and Game). Referred to Committee on Fish and Game.

HB 146, introduced by Harrington, (By Request of the Department of Labor and Industry). Referred to Committee on Labor and Employment Relations.

HB 147, introduced by Harrington, (By Request of the Department of Labor and Industry). Referred to Committee on Labor and Employment Relations.

HB 148, introduced by Rosenthal, Scully, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Judiciary.

HB 149, introduced by Brand, Bertelsen, Manning. Referred to Committee on Taxation.

HB 150, introduced by Fabrega, Huennekens, Williams, Fagg, Sivertsen, Vincent, (By Request of the Revenue Oversight Committee). Referred to Committee on Taxation.

HB 151, introduced by Yardley, Teague, Scully. Referred to Committee on Taxation.

HB 152, introduced by Johnson, Hirsch, South, Cooney, Marks, Sivertsen, Iverson, Thoft, Schultz, Johnston, Jensen, Ernst. Referred to Committee on Agriculture, Livestock and Irrigation.

HB 153, introduced by Staigmiller, Hand, Conroy, Huennekens, Ellis, Schultz, Ernst. Referred to Committee on Fish and Game.

HB 154, introduced by Hand. Referred to Committee on Taxation.

HB 155, introduced by Moore, Johnston. Referred to Committee on Local Government.

HB 156, introduced by Oberg. Referred to Committee on Local Government.

HB 157, introduced by South. Referred to Committee on Human Services.

HB 158, introduced by South. Referred to Committee on Taxation.

HB 159, introduced by Harper, (By Request of the Department of Labor and Industry). Referred to Committee on Labor and Employment Relations.

HB 160, introduced by Frates. Referred to Committee on Natural Resources.

HB 161, introduced by Fabrega, Huennekens, Vincent, Moore, Nordtvedt, Porter. Referred to Committee on Taxation.

HB 162, introduced by Eudaily, Lory, Harrington, Daily, Menahan, Anderson. Referred to Committee on Education and Cultural Resources.

HJR 6, introduced by Hand, Conroy, Johnston, Lien, Kanduch, Roth, Burnett, Keyser, Nathe, Vinger, Pistoria, Underdal, Hayne, Hurwitz, Jensen, Stobie, Gould. Referred to Committee on Fish and Game.

Dussault moved that the House adjourn until 3:30 p.m., January 15, 1979.

Motion carried.

House adjourned at 9:52 a.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

ELEVENTH LEGISLATIVE DAY

Helena, Montana
January 15, 1979

House Chambers
Capitol Building

House convened at 3:28 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Bennett, Ellerd, Holmes, Sales, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Eighth and Ninth Legislative Days, find the same to be correct.

METCALF, Chairman

COMMUNICATIONS AND PETITIONS

TO: Members of the House of Representatives

FROM: Wanda Gough, Chief Stenographer

In conjunction with the regular secretarial service available to you in the steno pool, there is a service to help you with your dictation of which you might not be aware. It is the tone input system. This makes it possible to dictate from any TOUCH-TONE telephone by calling 449-5570 and following the instructions in the attached booklet. Any of the girls in the steno pool, Room 420, would be glad to demonstrate its use.

There are also a few portable dictating units which may be checked out for a twenty-four hour period.

Because some items have been lost in the past, we are again asking you, or a person authorized by you, to pick up your finished work in the pool.

Thank you!

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 1/15/79
Correctly printed - HB 10, HB 32, HB 58, HB 92.
Correctly printed - HB 7, HB 22, HB 75. 1/13/79

Do Pass

BUSINESS AND INDUSTRY (Quilici, Chairman): 1/13/79
HB 21, introduced bill, be amended as follows:

1. Title, lines 5 and 6.
Following: "ACT"
Strike: "TO REPEAL SECTION 69-3-404, MCA,"

2. Title, line 8.
Following: "COMMISSION"
Insert: "; AMENDING SECTION 69-3-402, MCA; AND REPEALING SECTION 69-3-404, MCA"

3. Page 1.
Following: line 10
Insert: "Section 1. Section 69-3-402, MCA, is amended to read:

'69-3-402. Action to challenge commission order. (1) Any party in interest being dissatisfied with an order of the commission fixing

any rate, fare, charge, classification, or joint rate or any order fixing any regulation, practice, or service may, within 30 days, commence an action in the district court of the proper county against the commission and other interested parties as defendants to vacate and set aside any such order on the ground that the rate, fare, charge, classification, or joint rate fixed in such order is unlawful or unreasonable or that any such regulation, practice, or service fixed in such order is unlawful or unreasonable.

(2) The commission and other parties defendant shall file their answer to said complaint within 20 days after the service thereof, whereupon such action shall be at issue and stand ready for ~~trial~~ argument upon 20 days' notice to either party.

(3) All actions brought under this part shall have precedence over any civil cause of a different nature pending in such court, and the court shall always be deemed open for the ~~trial~~ argument thereof. The action shall be tried and determined as other civil actions. ~~Any party to such action may introduce evidence in addition to the transcript of the evidence offered to such commission.~~

(4) In all actions under this part, the burden of proof shall be upon the party attacking or resisting the order of the commission to show that the order is unlawful or unreasonable, as the case may be.'"

Renumber: subsequent section

And as amended, do pass.

HB 59, do pass. 1/15/79

JUDICIARY (Scully, Chairman): 1/15/79

HB 12, introduced bill, be amended as follows:

1. Page 5.
Following: line 17
Insert: "a"

2. Page 5, line 18.
Following: "written"
Strike: "notification that the available"
Insert: "assessment of the availability of"

3. Page 5, lines 19 and 20.
Following: "general"
Strike: "are being used to the limits of their capacity or ability"

And as amended, do pass.

HB 88, introduced bill, be amended as follows:

1. Title, line 5.
Following: "WITH"
Strike: "MINOR"

2. Page 1, line 23.
Following: "unmarried"
Strike: "minor"

3. Page 2, line 1.
Following: "the"
Strike: "minor"

And as amended, do pass.

HB 90, do pass.
HB 95, introduced bill, be amended as follows:

1. Title, line 6.
Following: "MCA,"
Insert: "TO MAKE THE SECTION APPLICABLE TO ALL LICENSES UNDER THE LIQUOR CODE;"
Following: "REMOVE"
Insert: "LANGUAGE RELATING TO"

2. Title, line 8.
Following: "APPLICATION"
Insert: "; AND TO PROVIDE FOR DENIAL OR REVOCATION OF LICENSES WHENEVER FALSE STATEMENTS ARE MADE IN LICENSE APPLICATIONS"

3. Page 1, line 12.
Strike: "all-beverages"

4. Page 1, line 15.
Following: "this"
Strike: "code"
Insert: "chapter"

5. Page 2, line 4.
Following: "license"
Strike: "shall"
Insert: "may"

6. Page 2, line 5.
Following: "license"
Strike: "shall"
Insert: "may"

And as amended, do pass.

HB 96, do pass.

NATURAL RESOURCES (Shelden, Chairman): 1/15/79
HB 44, do pass.

STATE ADMINISTRATION (Brand, Chairman): 1/15/79
HB 87, introduced bill, be amended as follows:

1. Title, line 6.
Following: "LIBRARY"
Strike: "AND"
Insert: ","

2. Title, line 7.
Following: "LIBRARY"
Insert: ", AND STATE OFFICERS"

3. Page 1, line 23.
Strike: "both"
Insert: "each"

4. Page 2, line 5.
Following: "congress"
Insert: "and each state officer"

5. Page 2, line 7.
Following: "to"
Strike: "the lieutenant governor,"

And as amended, do pass.

TAXATION (Huennekens, Chairman): 1/15/79
HB 85, do pass.

Consent Calendar

Bills unanimously passed in committee and unanimously placed on Consent Calendar:

BUSINESS AND INDUSTRY (Quilici, Chairman): 1/15/79
HB 17, do pass.
HB 18, introduced bill, be amended as follows:

1. Title.
Following: line 8
Insert: "APPEAR TO"

2. Page 2, line 3.
Following: "to"
Insert: "appear to"

3. Page 2, line 5.
Following: "does"
Insert: "appear to"

And as amended, do pass.

STATE ADMINISTRATION (Brand, Chairman): 1/15/79
HB 98, do pass.

REPORTS OF SELECT COMMITTEES

The Speaker appointed the following Representatives to serve on the Select Committee on the Study of Water and Water Resources:

William Day - Chairman
John Scully - Vice-Chairman
Ernest Dassinger
William Hand
Daniel Kemmis
Hershel Robbins
Jack Ramirez
Aubyn Curtiss
Dennis Nathe
Audrey Roth

The Speaker appointed the following Representatives to serve on the Select Committee on Prisons:

Ann Mary Dussault - Chairman
Dan Yardley - Vice-Chairman
Polly Holmes
William Menahan
Jim Azzara
Jonas Rosenthal
Jay Fabrega
Ralph Eudaily
William Bennett
Andrea Hemstad

The Speaker appointed the following Representatives to serve on the Select Committee on Aging:

John Vincent - Chairman
Dan Oberg - Vice-Chairman
Jerry Metcalf
Helen O'Connell
Howard Porter
Budd Gould
Harriet Hayne

The Speaker appointed the following Representatives to a Select Committee on Employee Compensation:

Carroll South - Chairman
Howard Ellis
Joe Tropila
Dennis Iverson
Harold Gerke

MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted to the House for concurrence: 1/13/79

Senate Bill No. 4, introduced by Galt

Senate Bill No. 25, introduced by Galt

Senate Bill No. 5, introduced by Hager

Senate Bill No. 6, introduced by Galt

Senate Bill No. 7, introduced by Story

Senate Bill No. 24, introduced by Story

MOTIONS

Williams moved that HB 158 be rereferred from the Committee on Taxation to the Committee on Labor and Employment Relations. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 163, introduced by Metcalf, (By Request of the Attorney General). Referred to Committee on Local Government.
HB 164, introduced by Harrington, Daily, Cooney, Menahan, Vincent, Pavlovich, Quilici, Huennekens. Referred to Committee on Fish and Game.
HB 165, introduced by Kvaalen, (By Request of the Code Commissioner). Referred to Committee on Judiciary.
HB 166, introduced by Hemstad, McBride, Cooney, Harrington, Menahan, Daily, Pavlovich, Kanduch, Quilici, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Human Services.
HB 167, introduced by Kvaalen, (By Request of the Code Commissioner). Referred to Committee on Judiciary.
HB 168, introduced by Kvaalen, (By Request of the Code Commissioner). Referred to Committee on Natural Resources.
HB 169, introduced by Kvaalen, (By Request of the Code Commissioner). Referred to Committee on State Administration.

HB 170, introduced by Kvaalen, (By Request of the Code Commissioner). Referred to Committee on Judiciary.
HB 171, introduced by Dussault. Referred to Committee on Education and Cultural Resources.
HB 172, introduced by Keyser, Bertelsen, Nathe, Feda, Vinger, Hemstad, Uhde, Tropila. Referred to Committee on Judiciary.
HB 173, introduced by Lien, (By Request of the Department of Fish and Game). Referred to Committee on Fish and Game.
HB 174, introduced by Vincent. Referred to Committee on Rules.
HB 175, introduced by Bengtson, Burnett. Referred to Committee on Education and Cultural Resources.
HB 176, introduced by Gerke, (By Request of the Board of Housing). Referred to Committee on Business and Industry.
HB 177, introduced by Underdal, Hand, Burnett, Wyrick, Conroy, Teague, Gould. Referred to Committee on Labor and Employment Relations.
HJR 7, introduced by Dussault. Referred to Committee on Education and Cultural Resources.

The following Senate bills were introduced, read first time and referred to committees:

SB 4, introduced by Galt, (By Request of the Code Commissioner). Referred to Committee on Judiciary.
SB 5, introduced by Hager, (By Request of the Code Commissioner). Referred to Committee on Agriculture, Livestock and Irrigation.
SB 6, introduced by Galt, (By Request of the Code Commissioner). Referred to Committee on Fish and Game.
SB 7, introduced by Story, (By Request of the Code Commissioner). Referred to Committee on State Administration.
SB 24, introduced by Story, (By Request of the Commissioner of Insurance). Referred to Committee on State Administration.
SB 25, introduced by Galt, (By Request of the Code Commissioner). Referred to Committee on Judiciary.

Holmes present at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Kessler in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HJR 2 be adopted. (95-0)

That HB 7 do pass. (95-0)

That HB 22 do pass. (80-17)

That HB 75 do pass. (96-0)

That the Committee rise and report. (Kessler, Chairman). Report adopted. (95-2)

MOTIONS

Huennekens moved that the rules be suspended to allow the addition of the name of Senator Turnage as a co-sponsor on HB 85. Motion carried.

Dussault moved that the House adjourn until 2:45 p.m., January 16, 1979.

Motion carried.

House adjourned at 4:05 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

TWELFTH LEGISLATIVE DAY

Helena, Montana
January 16, 1979

House Chambers
Capitol Building

House convened at 2:44 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Azzara, Bennett, Bertelsen, Donaldson, Feda, Gould, Hurwitz, Kemmis, Kessler, Kvaalen, Lory, McBride, Pistoria, Reichert, Robbins, Sales, Shelden, Staigmiller, Vinger, excused; Burnett, Fagg, Holmes, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Tenth Legislative Day, find the same to be correct.

METCALF, Chairman

COMMUNICATIONS AND PETITIONS

As a point of information, Speaker Gerke explained to the House members why there were two copies of a bill numbered 39 and which copy was the correct one.

REPORTS OF STANDING COMMITTEES

Will be signed by the Speaker on adjournment, 1/16/79 - SJR 2.

BILLS (Metcalf, Chairman): 1/16/79
Correctly printed - HB 12, HB 17, HB 18, HB 21, HB 44, HB 59, HB 85, HB 87, HB 88, HB 90, HB 95, HB 96, HB 98.
Considered correctly engrossed - HB 7, HB 22, HB 75, HJR 2.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Metcalf, Chairman): 1/16/79

Respectfully recommend that the attaches approved by the Committee on Legislative Administration be approved by this Body:

Vicki M. Lofthouse.....Subcommittee Secretary
Vonnie R. Evans.....Subcommittee Secretary
Linda A. Berg.....Subcommittee Secretary
Mary Bernadette Flanagan.....Subcommittee Secretary

Do Pass

BUSINESS AND INDUSTRY (Quilici, Chairman): 1/16/79
HB 104, introduced bill, be amended as follows:

1. Page 2, line 17.
Following: line 16
Strike: "installation,"

And as amended, do pass.

TAXATION (Huennekens, Chairman): 1/16/79
HB 72, introduced bill, be amended as follows:

1. Page 2, line 3.
Following: "1974,"
Strike: Remainder of line 3 through line 9
Insert: "applies only to payments made to a child of the taxpayer who is under 19 years of age at the close of the taxable year and

to payments made to an individual with respect to whom a deduction is allowable under 15-30-112(5) to the taxpayer or the taxpayer's spouse."

And as amended, do pass.

Consent Calendar

Bills unanimously passed in committee and unanimously placed on Consent Calendar:

BUSINESS AND INDUSTRY (Quilici, Chairman): 1/16/79
HB 108, do pass.

MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted to the House for concurrence: 1/15/79

Senate Bill No. 29, introduced by Hafferman, Lowe

Senate Bill No. 34, introduced by Thomas, McCallum

Senate Bill No. 38, introduced by Story

Senate Bill No. 46, introduced by Roskie

Senate Bill No. 50, introduced by Turnage

Speaker Gerke then asked the Sergeant-at-Arms to escort a select committee from the Senate into the House Chambers. The Speaker was then informed that the Senate was ready to meet in a Joint Session with the House to hear the "State of the Judiciary" address. The Speaker then informed the committee to advise the Senate that the House would be ready to convene at 3:00 p.m.

Fagg, Holmes were present at this time.

MOTIONS

Kanduch moved that HB 58 be taken off Second Reading and returned to the Committee on State Administration for the purposes of amendment. Motion carried. (74-0)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 178, introduced by Rosenthal, (By Request of the Board of Housing). Referred to Committee on Business and Industry.
HB 179, introduced by Lund, (By Request of the Office of Budget and Program Planning). Referred to Committee on State Administration.
HB 180, introduced by Bertelsen, (By Request of the Department of Revenue). Referred to Committee on Business and Industry.
HB 181, introduced by Marks, (By Request of the Code Commissioner). Referred to Committee on Taxation.
HB 182, introduced by Marks, (By Request of the Code Commissioner). Referred to Committee on Judiciary.
HB 183, introduced by Marks, (By Request of the Code Commissioner). Referred to Committee on Judiciary.
HB 184, introduced by Marks, (By Request of the Code Commissioner). Referred to Committee on Judiciary.

HB 185, introduced by Marks, (By Request of the Code Commissioner). Referred to Committee on Judiciary.
HB 186, introduced by Bardanouve, (By Request of the Office of Budget and Program Planning). Referred to Committee on State Administration.
HB 187, introduced by Bardanouve, (By Request of the Office of Budget and Program Planning). Referred to Committee on State Administration.
HB 188, introduced by Fagg, (By Request of the Department of Revenue). Referred to Committee on Taxation.
HB 189, introduced by Keyser, Pavlovich, (By Request of the Department of Administration). Referred to Committee on Labor and Employment Relations.
HB 190, introduced by Harper, Porter, (By Request of the Department of Labor and Industry). Referred to Committee on Labor and Employment Relations.
HB 191, introduced by Dussault, Blaylock, Vincent, Quilici, Kemmis, Gerke. Referred to Committee on Education and Cultural Resources.
HB 192, introduced by Manuel, (By Request of the Code Commissioner). Referred to Committee on Natural Resources.
HB 193, introduced by Oberg, Jergeson. Referred to Committee on Local Government.
HB 194, introduced by Manuel, (By Request of the Code Commissioner). Referred to Committee on Judiciary.
HB 195, introduced by Menahan, Harrington, Daily, Brand, Gilligan. Referred to Committee on Labor and Employment Relations.
HB 196, introduced by Ellis, Gerke, Gould, Manuel. Referred to Committee on Human Services.
HB 197, introduced by Gerke. Referred to Committee on State Administration.
HB 198, introduced by Pistoria, Teague, Gould, Manning. Referred to Committee on Local Government.
HB 199, introduced by Pistoria. Referred to Committee on Local Government.
HB 200, introduced by Pistoria. Referred to Committee on Labor and Employment Relations.
HB 201, introduced by Azzara, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Human Services.
HB 202, introduced by Ernst, Schultz, Nathe, Johnston, Manley. Referred to Committee on Natural Resources.
HB 203, introduced by Anderson, Ramirez, Scully, Lory. Referred to Committee on Judiciary.
HB 204, introduced by Waldron. Referred to Committee on Business and Industry.
HB 205, introduced by Waldron. Referred to Committee on Business and Industry.
HB 206, introduced by Waldron. Referred to Committee on Human Services.
HB 207, introduced by Waldron. Referred to Committee on Education and Cultural Resources.
HB 208, introduced by Brand, (By Request of the Department of Institutions). Referred to Committee on State Administration.

The following Senate bills were introduced, read first time and referred to committees:

SB 29, introduced by Hafferman, Lowe, (By Request of the Department of Labor and Industry). Referred to Committee on Labor and Employment Relations.
SB 34, introduced by Thomas, McCallum, (By Request of the Attorney General). Referred to Committee on Local Government.
SB 38, introduced by Story, (By Request of Code Commissioner). Referred to Committee on State Administration.
SB 46, introduced by Roskie, (By Request of the Code Commissioner). Referred to Committee on Taxation.
SB 50, introduced by Turnage, (By Request of the Department of Highways). Referred to Committee on Taxation.

A committee from the Senate entered to notify the House that the Senate was ready to convene in Joint Session.

Members of the Senate were admitted to the House.

The Legislature being in Joint Session, Senate President Mathers occupying the Chair for the Joint Session, appointed the following committee to notify the Chief Justice and Associate Justices of the Supreme Court of the State of Montana that we are in Joint Session and ready to receive the State of the Judiciary Address: Senator Lensink and Representative Scully.

The committee escorted the members of the Supreme Court to the Rostrum.

After being presented to the members of both Houses by President Mathers, Chief Justice Frank Haswell gave the following State of the Judiciary:

"THE STATE OF THE JUDICIARY"
by Frank I. Haswell, Chief Justice
Montana Supreme Court

Thank you, Mr. Speaker Gerke, Mr. President Mathers, Lieutenant Governor and Acting Governor Schwinden, leaders of the Republican and Democratic parties in the House and Senate, Members and Staff of the 46th Legislative Assembly, distinguished guests, ladies and gentlemen.

This is the third time in the 90 year history of our state that the Chief Justice of the Montana Supreme Court has been invited to speak to a joint session of the Legislature on the State of the Judiciary. You are to be commended for your desire and willingness to acquaint yourselves with the operations, conditions and problems of this coordinate branch of state government. I am doubly pleased to be invited to speak to you for the first time, in view of my short tenure as your Chief Justice.

Today I want to take you on a brief tour of Montana's judicial system, give you an overview of its condition, and highlight four areas for your consideration together with our recommendations.

In this period of increasing complexity and growth, I am pleased to report to you that the Montana Supreme Court is substantially current in hearing and deciding cases filed before it. This past year has been a particularly trying time for the Supreme Court in servicing its caseload for two principal reasons: (1) the increase in volume and complexity of cases that have been filed before it, and (2) we were short one member of the Court for approximately three months during the nomination and selection process of a new Chief Justice and thereafter a new Justice.

At the beginning of this year, 1979, the Supreme Court was current in calendaring and hearing cases ready for oral argument. We were substan-

tially but not entirely current in deciding cases submitted to us for written opinions. In 1978 we decided more cases, and wrote more opinions and issued more orders than at any time in the history of the Supreme Court.

The Supreme Court caseload has increased from 269 cases filed in 1974 to 517 cases filed last year. This reflects a 90% increase. In the last biennium for the first time there were slightly more cases filed each year than the Supreme Court was able to service and conclude. We anticipate a continuation of this trend of increasing caseloads and find no basis for believing otherwise. We have been and will continue to make management changes to improve our efficiency, but the basic problem of an ever increasing caseload reflects trends which are deeply inbedded in our society. These trends will not suddenly nor miraculously disappear.

This increasing volume of cases at the appellate level is substantially greater in Montana than in our neighboring and roughly comparable states. As compared to the 517 cases filed in the Montana Supreme Court last year, the Supreme Courts of our neighboring states had these caseloads: Idaho, 323 cases; South Dakota, 225 cases; North Dakota, 200 cases; and Wyoming, 157 cases.

To cope with this trend and insure quality judicial service to the people of Montana, we recommend for your consideration the addition of two justices to the Montana Supreme Court. We do not make this recommendation lightly, but only after careful consideration of all available alternatives.

At the time of the 1972 Constitutional Convention, the delegates perceived a need at some future time to increase the size of Montana's Supreme Court and empowered the Legislature to increase the number of Justices from four to six (in addition to the Chief Justice). At that time the caseload of the Supreme Court was 200 cases. It is now 517 cases, an increase of over 150%. By the time the next session of the Legislature meets, the caseload, based on present trends, will have increased to well over 600 cases. This is an unmanageable load with existing personnel and resources.

The district courts have experienced increases in case filings statewide from 20,160 cases in 1974 to 28,662 last year. This represents an increase of 42% in that period. The increase has not been uniform over the state and has created an imbalance in caseloads among Montana's 19 judicial districts and among Montana's 31 district judges. In general, the judges and judicial districts containing the larger population centers have experienced the greater proportional increases in caseloads.

Case filings in the district courts of Montana have in the last two years been increasing at the rate of about 1200 cases per year. We find no reason to anticipate reversal of this trend.

We recommend for your consideration the appointment of a joint legislative committee to study the number and composition of state's judicial districts and the number of district judges necessary in each district to furnish quality judicial service to the people of Montana. Statistical information to aid you in this task is presently available through our Court Administrator's office.

The magistrates courts in our judicial system include the Justice of the Peace courts and the City courts. The Justice of the Peace courts are essentially county courts, while the latter are part of the municipal court system. I am unable to advise you of the caseloads and increases experienced in these courts as our statewide information gathering system has not yet been expanded to include these courts.

Centralized authority, responsibility and accountability are fundamental to the effective operation of any court system. The 1972 Montana Constitution vested in the Montana Supreme Court "general supervisory control over all other courts" and the authority to "make rules governing — practice and procedure for all other courts" subject to a veto power in the Legislature.

To date, we have exercised this supervisory control largely through the medium of writs of supervisory control in cases brought before us. Much remains yet to be done. There remains a definite need for establishing administrative control, supervision and accountability in one person in multiple judge judicial districts in this state. We are attempting to address this problem in a case now before us. You should learn the results of our efforts during this legislative session.

There is a definite need for uniform rules of practice and procedure in the district courts of Montana. We have been unable to accomplish this to date due to a lack of time and manpower.

There is a definite need for revision and updating of the rules of practice and procedure of various boards and commissions functioning under the Supreme Court. The Supreme Court is presently in the process of re-examining and establishing qualifications and eligibility for admission to the practice of law. The Canons of Professional Ethics governing the ethical conduct of lawyers and the Canons of Judicial Ethics governing the ethical conduct of judges need modernization and upgrading. We have just completed improved forms and procedural rules for handling applications for writs of habeas corpus and post-conviction relief suggested by the Attorney General some months ago.

This brings us to a third recommendation for your consideration — funding for an experienced staff attorney for the Supreme Court to enable us to address and complete these needed reforms, among other duties. We recently secured approximately six months' funding for this position through federal LEAA funds administered by the Board of Crime Control. We earnestly recommend your funding of this much needed position for the coming biennium.

Another feature vital to an effective state judiciary is court administration. With the financial assistance you provided last session, we have made substantial and significant progress in this area.

Under Mr. Mike Abley, our Court Administrator since February, 1978, and his staff, we have developed and implemented a Judicial Management Information System conceived and initiated by former Chief Justice Paul Hatfield. Essentially this is a statewide information-gathering system that provides us with statistical information on court operations to enable us to make rational judicial management decisions relating to the operation of the district courts in each county, in each judicial district, and statewide. It includes statistical data on our own Supreme Court operations to aid us in making reasoned management decisions in that area.

This system tells us, on both a monthly and yearly basis, where every district court case is, its status, which judge is responsible for it, and how long the case has been in the system. The statistics include all types of cases in the district courts and in the Supreme Court. The statistical information is presently available on a manual retrieval basis, and should be fully computerized and automated for instant retrieval within the next 60 to 90 days.

The Judicial Management Information system has been accomplished through the cooperation of the clerks of the district court in each of our

56 counties. The clerks complete the uniform case reporting documents developed by the Court Administrator and his staff and forward them to Helena where they are checked, edited and complied by the Court Administrator's staff. The documents are then processed by a Central Data Processing unit. Monthly and annual reports are thus generated. Upon full automation and achievement of an instantaneous computerized retrieval capability within the next 60 to 90 days, we intend to disseminate the statistical information to each district court to assist each in the proper judicial management of its operations.

During the past year we have become heavily involved in in-state training programs for county and city judges and court support personnel of the district courts. We have found that in-state training sessions, where possible, are more cost effective than out-of-state training.

One orientation training session for new justices of the peace and two training sessions on search and seizure provided training for 163 lower court judges covering 5,320 training hours.

Two in-state training sessions for clerks of the district court were held covering records management and court planning. Fifty-four clerks attended covering 1424 training hours. Additionally 7 clerks attended out-of-state training seminars covering court information and record keeping systems for a total of 440 training hours.

On the district court level, 11 district judges attended training sessions covering district court judicial functions for a total of 500 man hours. Most of these sessions were held at the National Judicial College in Reno, Nevada.

In the area of long-range planning for the future, we have 5 committees in operation: District Courts, chaired by Justice John C. Sheehy; Clerks of Court and Court Reporters, chaired by District Judge Leonard Langen of Glasgow; Sentencing, chaired by District Judge Gordon Bennett of Helena; Prosecution and Defense, chaired by District Judge James Salansky of Kalispell; and the Commission on Lower Courts, chaired by District Judge William Coder of Great Falls. Our target is to have the first draft of a comprehensive plan by next December. Our efforts have been slowed somewhat as our former director of Court Planning, Mike Abley, doubled up on two positions when he was appointed Court Administrator last February at a substantial saving of public monies.

You should be made aware of the work of other important Boards and Commissions functioning under the Supreme Court. The Board of Bar Examiners, chaired by Attorney Robert Poore of Butte is responsible for the preparation, grading and administration of the annual bar examinations for applicants seeking admission to the practice of law. In 1978 66 applicants took the examinations and 55 were successful.

The Commission on Practice, chaired by Attorney Cale Crowley of Billings, investigates complaints against lawyers. In the last eight months of 1978 this Commission investigated and processed 91 complaints against lawyers.

The Judicial Standards Commission, chaired by District Judge A. B. Martin of Miles City, investigates complaints against judges. In 1978 it investigated and processed 12 complaints, with one still pending.

The Sentence Review Division, chaired by District Judge Jack Shanstrom of Livingston, provides review of sentences imposed in criminal cases. It reviewed 68 criminal sentences in 1978.

The Commission on Courts of Limited Jurisdiction, chaired by District Judge William Coder of Great Falls, has designed and implemented a uniform accounting system for Justices of the Peace and City Court Magistrates, has nearly completed uniform rules of practice and procedure for those courts, and oversees training programs for those courts.

There are other items of interest. There is a continuing need for a joint building to house the Supreme Court, the Attorney General and his legal staff, and the State Law Library. Such a facility would provide needed space in the Capitol building for the Legislature and its activities. A Supreme Court building has been on the planning board for many years. We earnestly commend it to you for your consideration at this legislative session.

The State Law Library has undergone substantial modernization and up-grading in the last biennium under the able direction and leadership of our professional law librarian, Claire Engel. According to our librarian, the State Law Library now contains about 55,000 volumes, with 2166 volumes having been added in the last biennium.

There has been a substantial substitution of modern legal works and materials for outdated and obsolescent research materials. A modern cataloging program is well underway. The State Law Library provides needed research, books and materials for the Supreme Court, the legislature and its staff, all agencies of state government and their attorneys, and district court judges and lawyers throughout the state. It is an essential resource for the judicial system.

Our Clerk of Court, Thomas Kearney, and his staff, have been of great assistance to us in performing the many and complex services involved in Supreme Court operations. Automation of the record keeping and notification functions of his office should be completed in the next biennium.

We have several new judges in our district courts and on the Supreme Court since you last met. The 45th Session of the Legislature created additional district judgeships in the 13th and 18th judicial districts, recently filled by the election of Judge Diane Barz of Billings and Judge Joseph Gary of Bozeman. Other vacancies were filled by the Judicial nomination and selection process provided in our Constitution and implementing statutes which require confirmation by the Senate: Judge Robert Holter of Libby in the 19th Judicial District; Judge James Wheelis of Missoula in the 4th Judical District; Judge John McCarvel of Great Falls in the 8th Judicial District; and Justice John C. Sheehy of Billings, and myself on the Supreme Court.

There have also been substantial changes in the number of attorneys licensed to practice in Montana. In the last few years the number of attorneys licensed to practice has increased each year at the rate of 100 to 125. The impact of this increase on Montana's judicial system has been felt in part in the volume of cases filed in our courts and in servicing the legal needs of numerous state and federal agencies.

The School of Law at the University of Montana has performed substantial service for the judiciary and legal profession of our state. The faculty and students at the law school have operated the Montana Defender Project for many years which investigates, researches and provides legal services for indigent inmates of our jails and prison thereby saving the taxpayers' money. The law library there has provided research facilities and materials to the judiciary and legal profession which are unobtainable elsewhere. The Dean and faculty have developed a legal intern program to better prepare students for practice in the courts of this state.

We in the Judicial System of Montana are doing all we can to provide quality judicial services that the people of Montana expect and demand. Consider for a moment if your liberty, your property, or the custody of your children were before a Montana court, what standards of judicial services, what quality, and what integrity would you want and expect if these matters were before a Montana judge for determination?

I believe the time to press forward is now. With your assistance, we can have a judicial system that will provide quality judicial services in our time. We must not wait until tomorrow.

I recall the words of a famous American of another era addressing another crisis which is equally appropriate at this time, "Give us the tools and we will do the work".

Thank you.

The Joint Session then adjourned.

House reconvened at 3:39 p.m.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Bertelsen in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 10 do pass. (75-2)

That HB 32 do pass. (71-7)

That the Committee rise and report. (Bertelsen, Chairman). Report adopted. (76-0)

SPECIAL ORDERS OF THE DAY

Consent Calendar

Questions were asked on HB 92.

REPORTS OF STANDING COMMITTEES

Consent Calendar

Bills unanimously passed in committee and unanimously placed on Consent Calendar:

HIGHWAYS AND TRANSPORTATION (Baeth, Chairman): 1/16/79
HB 55, do pass.
HB 65, do pass.

Dussault moved that the House adjourn until 3:30 p.m., January 17, 1979.

Motion carried.

House adjourned at 4:17 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

THIRTEENTH LEGISLATIVE DAY

Helena, Montana
January 17, 1979

House Chambers
Capitol Building

House convened at 3:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Curtiss, Gesek, Holmes, Hurwitz, Kvaalen, excused; Burnett, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Eleventh Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

Signed by the Speaker on adjournment, 1/17/79 - SJR 2.

BILLS (Metcalf, Chairman): 1/17/79
Correctly printed - HB 55, HB 65, HB 72, HB 104, HB 108.
Considered correctly engrossed - HB 10, HB 32.

Do Pass

STATE ADMINISTRATION (Brand, Chairman): 1/17/79
HB 50, do pass.
HB 113, do pass.
HB 126, do pass.
HB 71, introduced bill, be amended as follows: 1/16/79

1. Page 1, line 13.
Following: "licensee"
Insert: ", with the exception of those licensed for off-premises consumption,"

And as amended, do pass.

HB 77, introduced bill, be amended as follows: 1/17/79

1. Title, line 7.
Following: "FOR"
Strike: "WORK OR EDUCATIONAL FURLOUGHEES"
Insert: "ANY RESIDENTIAL COMMUNITY CORRECTIONAL PROGRAMS OPERATED BY THE DEPARTMENT"

2. Page 1, line 13.
Following: "in"
Strike: "work and educational furlough programs"
Insert: "any residential community correctional programs operated by the department"

3. Page 1, line 15.
Following: "implement"
Strike: "such policies for"

4. Page 1, line 16.
Following: "for"
Strike: "work and educational furloughees in any program that the department may administer"
Insert: "such programs operated by the department"

And as amended, do pass.

TAXATION (Huennekens, Chairman): 1/17/79
HB 106, introduced bill, be amended as follows:

1. Page 4, line 2.
Following: "under"
Strike: "["

2. Page 4, line 3.
Following: "30"
Strike: "]"
Insert: ","

3. Page 4, line 19.
Following: line 19
Insert: "**NEW SECTION.** Section 4. Report. The department shall report in detail to the house taxation committee during the 1981 session of the legislature as to the results of any program utilizing money from the nongame wildlife account and shall list in detail how the money collected was used."
Renumber: subsequent section.

4. Page 4, line 21.
Following: line 20
Strike: "section"
Insert: "sections"
Following: "2"
Insert: "and 4"

5. Page 4, line 23.
Following: "to"
Strike: "section"
Insert: "sections"
Following: "2"
Insert: "and 4"

And as amended, do pass.

Consent Calendar

Bills unanimously passed in committee and unanimously placed on Consent Calendar:

BUSINESS AND INDUSTRY (Quilici, Chairman): 1/17/79
HB 120, do pass.

LABOR AND EMPLOYMENT RELATIONS (Williams, Chairman): 1/16/79

HB 31, introduced bill, be amended as follows:

1. Page 2, line 5.
Following: "shall"
Strike: "not"
Insert: "also"

And as amended, do pass.

HB 42, do pass.
HB 62, do pass.
HB 68, do pass.

MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted to the House for concurrence: 1/16/79

Senate Bill No. 49, introduced by Peterson

Senate Bill No. 63, introduced by Anderson

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 49, introduced by Waldron. Referred to Committee on State Administration.

HB 209, introduced by Lund. Referred to Committee on Education and Cultural Resources.

HB 210, introduced by Holmes. Referred to Committee on Taxation.

HB 211, introduced by Scully. Referred to Committee on Appropriations.

HB 212, introduced by South, Fasbender. Referred to Committee on Labor and Employment Relations.

HB 213, introduced by Williams, Goodover, Yardley, Huennekens, Fagg, Sivertsen, Fabrega, Gerke, Vincent, Watt, Towe, Turnage, Mathers, Galt, Scully, Bengtson, Fasbender, Story, Kolstad, Lowe, Graham, Dassinger, Hazelbaker, Roskie, O'Hara, Dussault, (By Request of the Revenue Oversight Committee). Referred to Committee on Taxation.

HB 214, introduced by Dozier, (By Request of the Department of Labor and Industry). Referred to Committee on Labor and Employment Relations.

HB 215, introduced by Magone, (By Request of the Department of Administration). Referred to Committee on State Administration.

HB 216, introduced by Vincent, McBride, Cooney, Huennekens, Magone, Fabrega, Metcalf. Referred to Committee on Natural Resources.

HB 217, introduced by Hirsch, South, Johnson, Dozier, B. Brown. Referred to Committee on Education and Cultural Resources.

HB 218, introduced by Hirsch, Johnson, Lien, (By Request of the Department of Livestock). Referred to Committee on Agriculture, Livestock and Irrigation.

HB 219, introduced by Seifert, Goodover, Kessler, Jensen, Keedy, Keyser, Gilligan, Johnston, Iverson, Meyer, Uhde, Burnett, Smith, Kropp, Eudaily, Stobie, Sivertsen, Dozier, O'Connell, Lory, Ellis, Hayne, Kvaalen, Thoft, Marks, Schultz, Conroy, Wyrick, Ernst, Menahan, Donaldson, Ramirez, Staigmiller, K. Robbins, Anderson, Porter, Spilker. Referred to Committee on Education and Cultural Resources.

HB 220, introduced by Seifert, Burnett, Iverson, Marks, Keyser, Jensen, Thoft, Porter, Spilker, Johnston. Referred to Committee on Education and Cultural Resources.

HB 221, introduced by Moore, Fabrega, Keyser, Burnett, Wyrick, Ellison, Thoft, Iverson, Seifert, Meyer, Ernst, Nordtvedt, Schultz, Donaldson, Nathe, Wood, Porter, Spilker, Menahan, Vinger, Jensen, Anderson, Ramirez, Roth, Kropp, Johnston, Sales, Curtiss, Feda, Lund, Sivertsen, Bennett, Underdal, Hayne, Hurwitz. Referred to Committee on Taxation.

HB 222, introduced by Frates, Kessler, K. Robbins, Dozier, Hirsch, Cooney, Daily. Referred to Committee on Natural Resources.

HB 223, introduced by Conroy. Referred to Committee on Judiciary.
HB 224, introduced by Conroy. Referred to Committee on Judiciary.
HB 225, introduced by Conroy. Referred to Committee on Judiciary.
HB 226, introduced by Conroy. Referred to Committee on Judiciary.
HB 227, introduced by Menahan. Referred to Committee on Business and Industry.
HB 228, introduced by Reichert. Referred to Committee on Business and Industry.
HB 229, introduced by Sales, Nordtvedt, Baeth, Shelden. Referred to Committee on Judiciary.
HB 230, introduced by Kemmis, Watt, Shelden, Day, Feda, Graham, Turnage. Referred to Select Committee on Water.
HB 231, introduced by Ernst. Referred to Committee on Agriculture, Livestock and Irrigation.
HB 232, introduced by Dozier, (By Request of the Department of Public Service Regulation). Referred to Committee on Business and Industry.
HB 233, introduced by Bennett. Referred to Committee on Human Services.
HB 234, introduced by Bennett. Referred to Committee on Human Services.
HB 235, introduced by Ellerd, Holmes, Cooney, Dussault, Vincent, Kemmis, Underdal, Roth, Hurwitz, Schultz, Wyrick. Referred to Committee on Human Services.
HB 236, introduced by Oberg, Azzara, Brand. Referred to Committee on Education and Cultural Resources.
HB 237, introduced by Marks, Moore, Fabrega, Stephens, Kolstad, Graham, Norman, (By Request of the Interim Subcommittee on Legislative Improvement). Referred to Committee on Rules.

The following Senate bills were introduced, read first time and referred to committees:

SB 49, introduced by Peterson, (By Request of the Department of Community Affairs). Referred to Committee on Local Government.
SB 63, introduced by Anderson, (By Request of the Commissioner of Insurance). Referred to Committee on Judiciary.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Daily in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 12 do pass. (90-0)

That HB 21 do pass. (90-3)

That HB 44 do pass. (76-18)

That HB 59 do pass. (93-0)

That HB 85, second reading copy, be amended as follows:

1. Page 1, line 18.

Following: "committee"
Insert: ", two"

2. Page 1, line 19.
Following: "committee"
Insert: "and two by the committee on committees"

3. Page 1, line 21.
Following: "committee"
Insert: ", two"

4. Page 1, line 22.
Following: "committee"
Insert: "and two by the speaker of the house"

And as amended, do pass. (93-4)

That HB 88 do pass. (88-4)

That HB 90 do pass. (50-44)

That HB 95 do pass. (89-0)

That HB 96 do pass. (90-2)

That HB 87 pass consideration this day.

That the Committee rise and report. (Daily, Chairman). Report adopted. (87-4)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 7 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: None.
Total 0

Excused: Gesek, Holmes, Kvaalen.
Total 3

Absent or not voting: Bardanouve, Day, Spilker, Vinger, Wood.
Total 5

House Bill No. 22 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda,

Frates, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Thoft, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 79

Noes: Burnett, Conroy, Harper, Hirsch, Johnston, Kropp, Lien, Moore, Smith, South, Staigmiller, Stobie, Teague, Tropila, Underdal, Wyrick.
Total 16

Excused: Gesek, Holmes, Kvaalen.
Total 3

Absent or not voting: Day, Spilker.
Total 2

House Bill No. 75 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Gesek, Holmes, Kvaalen.
Total 3

Absent or not voting: Day, Spilker.
Total 2

House Joint Resolution No. 2 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Gesek, Holmes, Kvaalen.
Total 3

Absent or not voting: Day, Spilker.
Total 2

Consent Calendar

House Bill No. 92 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 90

Noes: None.
Total 0

Excused: Gesek, Holmes, Kvaalen.
Total 3

Absent or not voting: Bertelsen, Day, Ellerd, Harrington, Sales, Spilker, Yardley.
Total 7

MOTIONS

Dussault moved that HB 87 be taken off Second Reading and rereferred to the Committee on State Administration. Motion carried.

REPORTS OF STANDING COMMITTEES

Do Pass

EDUCATION AND CULTURAL RESOURCES (Gilligan, Chairman): 1/17/79
HB 107, do pass.

NATURAL RESOURCES (Shelden, Chairman): 1/17/79
HB 48, introduced bill, be amended as follows:

1. Page 2, line 13.
Strike: section 2 in its entirety

2. Page 3, line 3.
Strike: section 3 in its entirety

3. Page 3, line 11.
Strike: section 4 in its entirety
Renumber: all subsequent sections

And as amended, do pass.

Consent Calendar

Bills unanimously passed in committee and unanimously placed on Consent Calendar:

NATURAL RESOURCES (Shelden, Chairman): 1/17/79
HB 130, introduced bill, be amended as follows:

1. Page 4, line 15.
Strike: "graduate"

2. Page 5, line 3.
Following: "the"
Insert: "notice and hearing but not the appeal provisions of the contested case procedures of the"

And as amended, do pass.

SPECIAL ORDERS OF THE DAY

Consent Calendar

Questions were asked on HB 17, HB 18, HB 98.

Dussault moved that the House adjourn until 3:30 p.m., January 18, 1979.

Motion carried.

House adjourned at 6:03 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

FOURTEENTH LEGISLATIVE DAY

Helena, Montana
January 18, 1979

House Chambers
Capitol Building

House convened at 3:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Day, Holmes, Kvaalen, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 1/18/79

Considered correctly engrossed: HB 12, HB 21, HB 44, HB 59, HB 88, HB 90, HB 95, HB 96.

Correctly engrossed: HB 85.

Correctly printed: HB 31, HB 42, HB 48, HB 50, HB 62, HB 68, HB 71, HB 77, HB 107, HB 113, HB 120, HB 126, HB 130.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Metcalf, Chairman): 1/19/79

Recommend that the following be employed by the House of Representatives for the 46th Session at the beginning of business January 3, 1979:

Tanan Maki.....Page
David Bogut.....Page
Barbara Neumann.....Page
Bridgett Dunn.....Page
Judy Downey.....Page
Mike Manuel.....Page

At the beginning of business January 15, 1979:

Janine Habets.....Page
Neil Hanson.....Page
Maureen A. Thompson.....Page
Teresa Wearley.....Page
Tony Schoonen.....Page
Johanna E. Kolar.....Page

At the beginning of business January 22, 1979:

Jacki L. Sinnema.....Page
Rachelle M. Sanders.....Page
Charles H. Dozier.....Page
Lisa Anderson.....Page
Kathy Hanger.....Page
Barry L. Day.....Page

At the close of business, January 13, 1979, the following also be terminated:

Tanan Maki.....Page
David Bogut.....Page
Barbara Neumann.....Page
Bridgett Dunn.....Page
Judy Downey.....Page
Mike Manuel.....Page

Do Pass

FISH AND GAME (Staigmiller, Chairman): 1/18/79
HB 29, do pass.

HUMAN SERVICES (Holmes, Chairman): 1/18/79
HB 136, do pass.

HIGHWAYS AND TRANSPORTATION (Baeth, Chairman): 1/18/79
HB 27, do pass.
HB 66, introduced bill, be amended as follows:

1. Page 1, line 13.
Following: "~~90~~"
Strike: "60"
Insert: "180"

2. Page 1, line 14.
Following: "~~filing~~"
Strike: "hearing"
Insert: "completed filing"

3. Page 1, line 16.
Following: "hearing."
Insert: "The commission may extend the foregoing time for decision to a date requested by the applicant."

And as amended, do pass.

HB 67, introduced bill, be amended as follows:

1. Page 2, line 5.
Following: "of"
Strike: "making arrests"
Insert: "issuing citations"

2. Page 2, line 13.
Following: "vehicles."
Insert: "The scope of the inspections is limited to the enforcement of the provisions of Title 69, chapter 12."

And as amended, do pass.

HB 70, do pass.

JUDICIARY (Scully, Chairman): 1/18/79
HB 119, do pass.
HB 138, do pass.

STATE ADMINISTRATION (Brand, Chairman): 1/18/79
HB 82, do pass.
HB 87, second reading copy, be amended as follows:

1. Page 3, line 3.
Following: "to"
Strike: "the lieutenant governor,"

And as amended, do pass.

TAXATION (Huennekens, Chairman): 1/18/79
HB 73, introduced bill, be amended as follows:

1. Title, line 6.
Following: "GROSS INCOME"
Strike: "BY"
Insert: ";"

2. Title, line 9.
Following: "CODE"
Strike: "AND"
Insert: "FOR TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1978; CLARIFYING THE EXEMPTION OF INTEREST INCOME DERIVED FROM GOVERNMENTAL OBLIGATIONS; ALLOWING"

3. Title, line 11.
Following: "INCOME"
Insert: "FOR TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1976"

4. Title, lines 11 and 12.
Strike: "; AND PROVIDING FOR RETROACTIVE APPLICATION"

5. Page 2, line 2.
Following: "(c)"
Insert: "for taxable years beginning after December 31, 1978,"

6. Page 3, line 18.
Following: "(4)"
Strike: "In"
Insert: "For taxable years beginning after December 31, 1976, in"

7. Page 4, line 2.
Strike: section 3 in its entirety

And as amended, do pass.

Adverse Committee Reports

HUMAN SERVICES (Holmes, Chairman): 1/18/79
HB 157, do not pass.

JUDICIARY (Scully, Chairman): 1/18/79
HB 131, introduced bill, be amended as follows:

1. Page 8, line 10.
Following: "extension"
Insert: "due to inaccessibility"

2. Page 8, lines 13 through 15.
Following: "If"
Strike: remainder of lines 13 through 15 in their entirety
Insert: "additional time may be needed for review due to size or complexity of the proposed"

3. Page 13, line 4.
Following: "court"
Insert: "of the county where the operation is located or, at the option of the defendant, in the district court"

4. Page 13, lines 6 and 7.
Following: "Clark"
Strike: ", or in the district court having jurisdiction of the defendant"

5. Page 13, lines 12 and 13.
Strike: "or threatening to violate"

And as amended, do not pass.

Consent Calendar

Bills unanimously passed in committee and unanimously placed on Consent Calendar:

FISH AND GAME (Staigmiller, Chairman): 1/18/79
HB 37, do pass.
HB 97, do pass.

HIGHWAYS AND TRANSPORTATION (Baeth, Chairman): 1/18/79
HB 28, do pass.
HB 69, do pass.
HB 74, do pass.

JUDICIARY (Scully, Chairman): 1/18/79
HB 133, do pass.
HB 165, do pass.
HB 167, do pass.
HB 170, introduced bill, be amended as follows:

1. Page 1, line 18.
Strike: "or"
Following: "section"
Insert: ", or subsection"

And as amended, do pass.

LABOR AND EMPLOYMENT RELATIONS (Williams, Chairman): 1/18/79
HB 146, do pass.

STATE ADMINISTRATION (Brand, Chairman): 1/18/79
SB 7, be concurred in.
SB 24, be concurred in.

MESSAGES FROM THE OTHER HOUSE

Bill passed by the Senate and transmitted to the House for concurrence: 1/17/79

Senate Bill No. 35, introduced by Anderson

MOTIONS

Fabrega moved that HB 85 be taken from Engrossing and returned to Second Reading this day for the purposes of amendment. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HJR 8, introduced by Harrington, Johnson, Cooney, Vincent, Menahan, Huennekens, McBride, Kessler, Baeth, Gilligan, Kanduch, Metcalf, Shelden, Harper, Dussault, Pavlovich, Daily, Frates, Oberg, Reichert, H. Robbins, Brand. Referred to Committee on Business and Industry.
HJR 9, introduced by Frates, Metcalf, Dozier, K. Robbins, Cooney, Vincent, Harrington. Referred to Committee on State Administration.
HB 238, introduced by Lund, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Judiciary.
HB 239, introduced by Brand. Referred to Committee on Education and Cultural Resources.

HB 240, introduced by Brand. Referred to Committee on Education and Cultural Resources.

HB 241, introduced by Menahan, Harrington, Pavlovich, Cooney, Kanduch, (By Request of the Board of Housing). Referred to Committee on Business and Industry.

HB 242, introduced by Harper, Ramirez, Tropila, (By Request of the Administrative Code Committee). Referred to Committee on Judiciary.

HB 243, introduced by Brand, Keyser, Hand, O'Connell, Menahan, Pavlovich, Kanduch, Feda, Daily, Johnston, Harrington, Eudaily, Quilici, Ellison, Stobie, Seifert, Gilligan, McBride, Vinger, Ernst, Smith, Manning, Fabrega, Burnett, Dassinger, Cooney, Magone, Kropp, Moore, Tropila. Referred to Committee on Appropriations.

HB 244, introduced by Ernst. Referred to Committee on Local Government.

HB 245, introduced by Azzara. Referred to Committee on Local Government.

HB 246, introduced by South, (By Request of the Office of Budget and Program Planning). Referred to Select Committee on Employee Compensation.

HB 247, introduced by Scully, Uhde. Referred to Committee on Fish and Game.

HB 248, introduced by Menahan, (By Request of the Department of Institutions). Referred to Committee on Judiciary.

HB 249, introduced by Pistoria. Referred to Committee on Local Government.

HB 250, introduced by Stobie, Tropila, Feda, Hayne, Ellis, Lory, Eudaily, South, Hemstad, Spilker, Hurwitz, Keyser, Jensen, Nathe, Quilici, (By Request of the Administrative Code Committee). Referred to Committee on Judiciary.

HB 251, introduced by Johnson, Harrington, Hirsch, Anderson, McBride, Cooney, Johnston, Conover, Marks, Iverson, Hayne. Referred to Committee on Agriculture, Livestock and Irrigation.

HB 252, introduced by Hayne, Towe, Seifert, Meyer, Metcalf. Referred to Committee on Taxation.

HB 253, introduced by Thoft, Burnett, Frates, Roth, Keyser, Dozier, Hirsch, K. Robbins, Eudaily, Ellis, Seifert, Marks. Referred to Committee on Natural Resources.

HB 254, introduced by Metcalf. Referred to Committee on Rules.

HB 255, introduced by Moore, Fabrega, Marks, Wood, Meyer, Bennett, Nordtvedt, Kropp, Tropila, Seifert, Burnett, Thoft, Roth, Ernst, Schultz, Wyrick, Keyser, Lory, Gerke, Ellis, Eudaily, Feda, Hemstad, Curtiss, Pistoria, Smith, Hayne, Stobie, Underdahl, Iverson. Referred to Committee on Taxation.

HB 256, introduced by Vincent. Referred to Committee on Taxation.

HB 257, introduced by H. Robbins, Manuel, Lien, Huennekens, Johnston, Conroy, Staigmiller, Nathe. Referred to Committee on Taxation.

HB 258, introduced by H. Robbins, Galt. Referred to Committee on Judiciary.

The following Senate bills were introduced, read first time and referred to committees:

SB 32, introduced by Mathers, (By Request of the Interim Subcommittee on Education). Referred to Committee on Educational and Cultural Resources.

SB 35, introduced by Anderson, (By Request of the Department of Fish and Game). Referred to Committee on Fish and Game.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Lory in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 72 do pass. (92-1)

That HB 104 do pass. (93-0)

House recessed at 3:52 p.m. and reconvened at 4:00 p.m.

That HB 85 be amended as follows:

1. Page 1, line 18.
Following: "(a)"
Strike: "four"
Insert: "six"

2. Page 1, lines 18 through 20.
Following: "senate"
Strike: remainder of subsection (a) in its entirety
Insert: "appointed by the committee on committees in consultation with the chairman of the senate taxation committee and the minority leader of the senate;"

3. Page 1, line 21.
Following: (b)
Strike: "four"
Insert: "six"

4. Page 1, lines 22 through 23.
Following: line 21
Strike: lines 22 and 23 in their entirety
Insert: "appointed by the speaker in consultation with the chairman of the house taxation committee and the minority leader of the house."

5. Page 1, line 24 through line 2 on page 2.
Strike: subsection (c) and (d) and in their entirety

And as amended, do pass. (93-0)

That the Committee rise and report. (Lory, Chairman). Report adopted. (93-0)

THIRD READING OF BILLS

The following bills have been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 10 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens,

Hurwitz, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Curtiss.
Total 1

Excused: Day, Holmes, Kvaalen.
Total 3

Absent or not voting: Bardanouve, Ellerd, Johnston, Sales, Waldron.
Total 5

House Bill No. 32 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Day, Holmes, Kvaalen.
Total 3

Absent or not voting: Bardanouve, Johnston, Sales, Waldron.
Total 4

Consent Calendar

House Bill No. 17 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Burnett.

Total 1

Excused: Day, Holmes, Kvaalen.
Total 3

Absent or not voting: Bardanouve, Ellerd, Johnston, Sales, Waldron.
Total 5

House Bill No. 18 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Day, Holmes, Kvaalen.
Total 3

Absent or not voting: Bardanouve, Johnston, Sales, Waldron.
Total 4

House Bill No. 98 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Teague.
Total 1

Excused: Day, Holmes, Kvaalen.
Total 3

Absent or not voting: Johnston, K. Robbins, Sales, Sivertsen, Waldron.
Total 5

MESSAGES FROM THE OTHER HOUSE

Bill passed by the Senate and transmitted to the House for concurrence: 1/17/79

Senate Bill No. 32, introduced by Mathers

MOTIONS

Dussault moved that HB 67 be taken from Printing and rereferred to the Committee on Highways and Transportation. Motion carried.

SPECIAL ORDERS OF THE DAY

Consent Calendar

Questions were asked on HB 55, HB 65, HB 108.

Dussault moved that the House adjourn until 3:30 p.m., January 19, 1979.

Motion carried.

House adjourned at 4:26 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

FIFTEENTH LEGISLATIVE DAY

Helena, Montana
January 19, 1979

House Chambers
Capitol Building

House convened at 3:29 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Brand, Ellis, Gesek, Holmes, Lund, Seifert, Stobie, Yardley, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Twelfth and Thirteenth Legislative Days, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 1/19/79
Correctly printed - HB 27, HB 28, HB 29, HB 37, HB 66, HB 69, HB 70, HB 73, HB 74, HB 87, HB 97, HB 119, HB 133, HB 136, HB 138, HB 146, HB 165, HB 167, HB 170.
Considered correctly engrossed - HB 72, HB 104.
Correctly engrossed - HB 85.

Do Pass

BUSINESS AND INDUSTRY (Quilici, Chairman): 1/19/79
HB 205, do pass.

JUDICIARY (Scully, Chairman): 1/19/79
HB 172, introduced bill, be amended as follows:

1. Page 4.
Following: line 12
Insert: "Section 6. Repealer. Sections 13-10-209, 13-10-301, 13-10-311 through 13-10-314, 13-10-317, and 13-10-318, MCA, are repealed."

And as amended, do pass.

LOCAL GOVERNMENT (Robbins, Chairman): 1/18/79
HB 45, introduced bill, be amended as follows:

1. Page 2, line 8.
Following: "services"
Insert: "otherwise"

2. Page 2, line 8.
Following: "authorized"
Insert: "by statute"

3. Page 5, line 4.
Following: "counties"
Insert: "or municipalities"

4. Page 5, line 11.
Following: "the"
Strike: "corporate"

5. Page 5, line 11.
Following: "county"
Insert: "or municipality"

6. Page 5, line 12.
Following: "county"
Insert: "or municipality"

7. Page 5.
Following: line 12
Insert: "(4) No county may construct an undertaking wholly or partly within the jurisdiction of a city-county planning board without first granting an opportunity to the city-county planning board to issue comments on the proposal."

8. Page 8, lines 17 through 23.
Following: line 16
Strike: lines 17 through 23 in their entirety
Insert: "(2) The governing body of the county may issue bonds authorized under this [act] with or without an election. The governing body shall adopt a resolution stating its intent to issue revenue bonds under this [act].

(3) If the governing body chooses to submit the question to the electorate, it shall adopt a resolution containing:

(a) a legal description of the area or district in which the election will be held;

(b) the date of the election; and

(c) those electors eligible to vote in the election.

(4) If the issuing of bonds is subject to an election, a majority of the qualified electors described in the resolution and voting in the election may approve the issuing of the bonds."

And as amended, do pass.

HB 84, introduced bill, be amended as follows:

1. Page 1, line 24.
Following: "If"
Strike: "illegal"
Following: "transfers"
Strike: "of any manner"
Insert: "not in accordance with this chapter"

And as amended, do pass.

HB 91, introduced bill, be amended as follows:

1. Title, lines 4 through 6.
Following: "AN ACT"
Strike: lines 4 through 6 in their entirety
Insert: "PERMITTING ALL COUNTY EMPLOYEES, COUNTY OFFICIALS, AND THEIR ASSISTANTS TO BE PAID EITHER MONTHLY OR EVERY 2 WEEKS; AND AMENDING SECTIONS 7-4-2502 AND 7-5-2107, MCA."

2. Page 1, lines 9 through 12.
Strike: all of the bill following the enacting clause
Insert: "Section 1. Section 7-4-2502, MCA, is amended to read:

'7-4-2502. Payment of salaries of county officials and assistants. (1) (a) Except as provided in subsection (2), the salaries of the several county officers and their assistants ~~must~~ may be paid

monthly or every 2 weeks out of the general fund of the county and upon the order of the board of county commissioners.

(b) Salaries ~~must~~ may be allowed and paid monthly or every 2 weeks upon the order of the board and paid out of the contingent fund.

(2) (a) The salary of the county attorney is payable monthly, with one-half from the general fund of the county and the other one-half from the state treasury upon the warrant of the state auditor.

(b) The county commissioners of each county shall, within 30 days after the election or appointment to fill a vacancy for any cause of any county attorney, certify such election or appointment to the state auditor, who shall thereafter draw warrants for such salary in the same manner as for state officers. In case of a vacancy, the county commissioners shall immediately notify the state auditor, and the auditor shall compute the salary due on the basis of said notification.

(3) The board has jurisdiction and power, under such limitations and restrictions as are prescribed by law, to fix the compensation of all county officers not otherwise fixed in this code or by general or special law and to provide for the payment of the same.'"

"Section 2. Section 7-5-2107, MCA, is amended to read:

'7-5-2107. Employment of personnel by county commissioners. The board of county commissioners may employ such persons as it deems necessary to assist the board in the performance of its duties. Each board may adopt a resolution defining the qualifications, duties, salary, and responsibilities of such persons. Such persons may be paid monthly or every 2 weeks.'"

And as amended, do pass.

STATE ADMINISTRATION (O'Connell, Vice-Chairman): 1/19/79
HB 51, do pass.
HB 186, introduced bill, be amended as follows:

1. Title, lines 7 and 8.
Following: "DIRECTOR"
Strike: remainder of lines 7 and 8 in their entirety

2. Title, line 9.
Following: line 8
Strike: "EXCEEDING ITS APPROPRIATION"
Following: "AMENDING"
Strike: "SECTIONS 2-18-302 AND"
Insert: "SECTION"

3. Page 3, lines 1 through 13.
Strike: Section 3 in its entirety

And as amended, do pass.

SB 38, be concurred in.

TAXATION (Huennekens, Chairman): 1/19/79
HB 188, do pass.

Adverse Committee Reports

BUSINESS AND INDUSTRY (Quilici, Chairman): 1/19/79

HB 109, introduced bill, be amended as follows:

1. Page 5, lines 5 and 6.
Following: "department"
Strike: "or, at the request of the department,"
Insert: ", through"

2. Page 5, line 7.
Following: "located"
Insert: ","

3. Page 5, lines 11 and 12.
Following: "department"
Strike: "or, at the request of the department,"
Insert: ", through"

4. Page 5, line 13.
Following: "located"
Insert: ","

5. Page 5, line 20.
Following: "chapter"
Insert: "or"

6. Page 5, lines 21 through 23.
Following: "chapter"
Strike: ", or an order issued by the department pursuant to this chapter"

7. Page 6, lines 4 and 5.
Following: "of this chapter"
Strike: ","
Insert: "or"

8. Page 6, lines 5 and 6.
Following: "to this chapter"
Strike: ", or an order issued by the department pursuant to this chapter"

9. Page 6, line 9.
Following: "penalty"
Insert: ", as determined by the district court,"

10. Page 9, line 5.
Following: "by"
Insert: "certified"

And as amended, do not pass.

HB 110, do not pass.
HB 111, do not pass.
HB 204, do not pass.

LOCAL GOVERNMENT (Robbins, Chairman): 1/19/79
HB 93, do not pass.

TAXATION (Huennekens, Chairman): 1/19/79
HB 154, do not pass.

Consent Calendar

Bills unanimously passed in committee and unanimously placed on Consent Calendar:

JUDICIARY (Scully, Chairman): 1/19/79

HB 182, do pass.
SB 25, be concurred in.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Day, Chairman): 1/19/79
HB 134, do pass.

MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted to the House for concurrence: 1/18/79

Senate Bill No. 33, introduced by Van Valkenburg

Senate Bill No. 56, introduced by Lensink

Senate Bill No. 59, introduced by B. Brown

Senate Bill No. 68, introduced by Galt, et al

MOTIONS

Vincent moved that the Journal reflect that Ellis, Gesek, Lund, Yardley be excused because they were on official business. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HJR 10, introduced by Fabrega, Huennekens, Moore, Hemstad, Nordtvedt, Vincent, Porter, Meyer. Referred to Committee on Taxation.
HB 259, introduced by Tropila, Ramirez, Harper, Stobie, (By Request of the Administrative Code Committee). Referred to Committee on Judiciary.
HB 260, introduced by South, (By Request of the Department of Administration). Referred to Select Committee on Employee Compensation.
HB 261, introduced by Staigmiller, Ellison, Donaldson, Moore, Conroy, Smith, Nathe, Manning, Tropila, Lien, Marks, O'Connell, Seifert, Johnston, Curtiss, Bengtson. Referred to Committee on Fish and Game.
HB 262, introduced by Gesek, Blaylock, Harrington, Bengtson. Referred to Committee on Highways and Transportation.
HB 263, introduced by Johnston, Pavlovich, Kanduch, Menahan, Teague, Tropila. Referred to Committee on Business and Industry.
HB 264, introduced by Moore, Marks, Scully. Referred to Committee on Education and Cultural Resources.
HB 265, introduced by Holmes, Towe. Referred to Committee on Education and Cultural Resources.
HB 266, introduced by Hirsch. Referred to Committee on Taxation.
HB 267, introduced by Hirsch. Referred to Committee on Taxation.
HB 268, introduced by Oberg, Tropila, Teague, Gilligan. Referred to Committee on Local Government.
HB 269, introduced by Yardley, Dussault, Scully, Eudaily. Referred to Committee on Judiciary.
HB 270, introduced by Kemmis. Referred to Committee on Judiciary.
HB 271, introduced by Ellis, Dussault, Donaldson, Hirsch, (By Request of the Department of Livestock). Referred to Committee on Agriculture, Livestock and Irrigation.

HB 272, introduced by Kessler, Menahan, Dozier, Kemmis, Hirsch, Yardley. Referred to Committee on Education and Cultural Resources.

HB 273, introduced by Azzara, Eudaily, Huennekens, Daily, Dussault, Bennett, Bertelsen, Menahan, Manning, Brand, Magone, Scully. Referred to Committee on Appropriations.

HB 274, introduced by Kessler, S. Brown, Fagg, Pistoria, O'Connell, Palmer, Reichert, Azzara, Metcalf, Blaylock, Regan, Rasmussen, Towe. Referred to Committee on Local Government.

HB 275, introduced by Eudaily. Referred to Committee on Taxation.

HB 276, introduced by Eudaily, Ellis, Meyer, Yardley, Lory. Referred to Committee on Local Government.

HB 277, introduced by Bennett, Bertelsen, Burnett, (By Request of the Department of Revenue). Referred to Committee on Business and Industry.

HB 278, introduced by Bardanouve, Thiessen, Burnett. Referred to Committee on Agriculture, Livestock and Irrigation.

HB 279, introduced by Ellerd, Conroy. Referred to Committee on Agriculture, Livestock and Irrigation.

HB 280, introduced by Scully, Moore, Manuel, Marks, Staigmiller, Seifert, K. Robbins, Johnston, Curtiss, Hafferman, Thiessen, Goodover, Galt, Kolstad, Aklestad, Roskie, E. Smith, Graham, Manley. Referred to Committee on Natural Resources.

HB 281, introduced by Pavlovich, Daily, Keyser, Hemstad, Harrington, Cooney, Manning, Kanduch, Scully, Bengtson, Menahan. Referred to Committee on Business and Industry.

HB 282, introduced by Gould, Palmer, Cooney, Norman, Dussault, Harper, Manning. Referred to Committee on Appropriations.

HB 283, introduced by Moore, Gilligan. Referred to Committee on Taxation.

HB 284, introduced by Dussault, Thomas, Ellison, Reichert, Kemmis, Cooney, Kessler, Uhde, Fagg, Harrington, Metcalf, Fasbender, Regan, Ryan, Towe, Manning, Pistoria, Gould, Azzara, Goodover. Referred to Committee on Appropriations.

The following Senate bills were introduced, read first time and referred to committees:

SB 33, introduced by Van Valkenburg, (By Request of the Code Commissioner). Referred to Committee on Judiciary.

SB 56, introduced by Lensink, (By Request of the Department of Highways). Referred to Committee on Judiciary.

SB 59, introduced by B. Brown, (By Request of the Board of Public Education). Referred to Committee on Education and Cultural Resources.

SB 68, introduced by Galt, Graham, Manley, Boylan. Referred to Committee on Agriculture, Livestock and Irrigation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Cooney in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 48 do pass. (80-10)

That HB 50 do pass. (87-0)

That HB 71 be amended as follows:

1. Page 2, line 2.
Following: "1,"
Strike: "1978"
Insert: "1979" (84-6)

And as amended, pass consideration for the day.

That HB 77 do pass. (87-3)

That HB 107 do pass. (83-0)

That HB 113 do pass. (88-1)

That HB 126 do pass. (87-0)

That the Committee rise and report. (Cooney, Chairman). Report adopted.

Scully moved that HB 48 be segregated from the Committee of the Whole report and as amended be adopted. Motion carried. (86-0)

Ellis, Gesek, Lund, Yardley present at this time.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 12 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Brand, Holmes, Seifert, Stobie, Yardley.
Total 5

Absent or not voting: Azzara.
Total 1

House Bill No. 21 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington,

Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Brand, Holmes, Seifert, Stobie, Yardley.
Total 5

Absent or not voting: None.
Total 0

House Bill No. 44 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.
Total 83

Noes: Burnett, Conroy, Curtiss, Ellerd, Ellison, Hand, Kanduch, Keyser, Marks, Roth, Smith, Wyrick.
Total 12

Excused: Brand, Holmes, Seifert, Stobie, Yardley.
Total 5

Absent or not voting: None.
Total 0

House Bill No. 59 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Brand, Holmes, Seifert, Stobie, Yardley.
Total 5

Absent or not voting: Waldron.
Total 1

House Bill No. 88 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 92

Noes: Burnett, Smith.
Total 2

Excused: Brand, Holmes, Seifert, Stobie, Yardley.
Total 5

Absent or not voting: Kanduch.
Total 1

House Bill No. 90 failed to pass by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Eudaily, Fagg, Frates, Gesek, Gilligan, Harper, Harrington, Huennekens, Johnson, Keedy, Kemmis, Kessler, Lory, McBride, Magone, Menahan, Metcalf, Oberg, O'Connell, Pavlovich, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Scully, Shelden, South, Teague, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 45

Noes: Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Donaldson, Ellerd, Ellison, Ernst, Fabrega, Feda, Gould, Hand, Hayne, Hemstad, Hirsch, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Lien, Lund, Manning, Manuel, Marks, Meyer, Moore, Nathe, Nordtvedt, Pistoria, Porter, H. Robbins, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Thoft, Tropila, Underdal, Vinger, Wood, Wyrick.
Total 53

Paired: Ellis, Huennekens, Metcalf, Vincent, Yardley, Ayes; Keyser, Lund, Seifert, Sivertsen, Stobie, Noes.

Excused: Brand, Holmes.
Total 2

Absent or not voting: None.
Total 0

House Bill No. 95 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson,

Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Brand, Holmes, Seifert, Stobie, Yardley.
Total 5

Absent or not voting: Burnett, Magone.
Total 2

House Bill No. 96 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Brand, Holmes, Seifert, Stobie, Yardley.
Total 5

Absent or not voting: Jensen.
Total 1

Consent Calendar

House Bill No. 55 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: None.
Total 0

Excused: Brand, Holmes, Lory, Seifert, Stobie, Yardley.
Total 6

Absent or not voting: Dassinger, Jensen.
Total 2

House Bill No. 65 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 92

Noes: None.
Total 0

Excused: Brand, Holmes, Lory, Seifert, Stobie, Yardley.
Total 6

Absent or not voting: Jensen, K. Robbins.
Total 2

House Bill No. 108 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Brand, Holmes, Lory, Seifert, Stobie, Yardley.
Total 6

Absent or not voting: Jensen.
Total 1

SPECIAL ORDERS OF THE DAY

Consent Calendar

Questions were asked on SB 7, SB 24, HB 31, HB 42, HB 62, HB 68, HB 120, HB 130.

REPORTS OF STANDING COMMITTEES

Adverse Committee Reports

On motion by Scully, the Adverse Committee Report on HB 131 was adopted by the following vote: (66-25)

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bertelsen, Burnett, Conroy, Curtiss, Daily, Dassinger, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Gilligan, Gould, Hayne, Hemstad, Hirsch, Jensen, Johnston, Kanduch, Kessler, Keyser, Kropp, Kvaalen, Lien, Lund, McBride, Manning, Manuel, Marks, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.
Total 66

Noes: Baeth, Bennett, Cooney, Day, Dozier, Dussault, Fagg, Frates, Gesek, Harper, Harrington, Huennekens, Hurwitz, Johnson, Keedy, Kemmis, Lory, Magone, Menahan, Metcalf, Oberg, Reichert, Roth, Scully, Vincent.
Total 25

Excused: Brand, Holmes, Seifert, Stobie, Yardley.
Total 5

Absent or not voting: Hand, Iverson, Shelden, Waldron.
Total 4

On motion by Frates, the Adverse Committee Report on HB 157 was adopted by the following vote: (74-16)

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Hand, Harrington, Hayne, Hemstad, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Meyer, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Shelden, Sivertsen, Smith, Staigmiller, Thoft, Tropila, Underdal, Vinger, Williams, Wood, Wyrick.
Total 74

Noes: Dussault, Gesek, Gould, Harper, Hirsch, Huennekens, Keedy, Lien, Metcalf, Moore, Oberg, Scully, South, Teague, Vincent, Mr. Speaker.
Total 16

Excused: Brand, Holmes, Seifert, Stobie, Yardley.
Total 5

Absent or not voting: Azzara, Sales, Spilker, Uhde, Waldron.
Total 5

MOTIONS

Dussault moved that HB 48 be rereferred from Second Reading to the Committee on Natural Resources. Motion carried.

Dussault moved that the House adjourn until 9:00 a.m., January 20, 1979.

Motion carried.

House adjourned at 4:58 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

SIXTEENTH LEGISLATIVE DAY

Helena, Montana
January 20, 1979

House Chambers
Capitol Building

House convened at 9:00 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Kessler, Holmes, Seifert, Stobie, Brand, excused. Quorum present.

MOTIONS

Dussault moved that the rules be temporarily suspended to allow the transfer of roll call votes from the voting board to paper roll call voting forms. Motion carried.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 1/20/79
Correctly printed - HB 45, HB 51, HB 82, HB 84, HB 91, HB 106, HB 134, HB 172, HB 182, HB 186, HB 188, HB 205.
Considered correctly engrossed - HB 50, HB 77, HB 107, HB 113, HB 126.

Adverse Committee Reports

HUMAN SERVICES (Holmes, Chairman): 1/19/79
HB 115, do not pass.

MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted to the House for concurrence: 1/19/79

Senate Bill No. 26, introduced by Galt

Senate Bill No. 41, introduced by S. Brown

Senate Bill No. 78, introduced by Van Valkenburg

Senate Bill No. 45, introduced by Himsl, et al

Senate Bill No. 40, introduced by Boylan, Kolstad, et al

Senate Bill No. 48, introduced by Ryan

Senate Bill No. 53, introduced by Healy, Kolstad, Graham, Etchart

MOTIONS

Dussault moved that the rules be suspended in order to allow consideration of HB 27, HB 29, HB 66, HB 70, HB 73, HB 87 on Second Reading this day. Motion carried.

Dussault moved that the rules be suspended to allow consideration of HB 85 on Third Reading this day. Motion carried.

Dussault moved that the rules be suspended to allow the consideration of SB 7, SB 24, HB 31, HB 42, HB 62, HB 68, HB 120, HB 130 on Third Reading Consent Calendar this day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 9, introduced by Lory, Eudaily, Scully, Gould, Kemmis, Dussault, Van Valkenburg. Referred to Committee on Appropriations.
HB 285, introduced by Ernst. Referred to Committee on Business and Industry.
HB 286, introduced by Sivertsen, Tropila, Johnston, Harper, Underdal, Waldron, Feda, H. Robbins, Hemstad, Meyer, Bengtson, Donaldson, Porter, O'Connell, Teague, Hayne, Wyrick. Referred to Committee on State Administration.
HB 287, introduced by Huennekens. Referred to Committee on Taxation.
HB 288, introduced by Donaldson, Spilker, Harper, Williams. Referred to Committee on Local Government.
HB 289, introduced by Waldron, Rasmussen. Referred to Committee on Local Government.
HB 290, introduced by Johnston, Manning, Pavlovich, O'Connell, Hand. Referred to Committee on Labor and Employment Relations.

The following Senate bills were introduced, read first time and referred to committee:

SB 26, introduced by Galt, (By Request of the Department of Fish and Game). Referred to Committee on Fish and Game.
SB 40, introduced by Boylan, Kolstad, Graham, Galt, Hager, Conover, (By Request of the Code Commissioner). Referred to Select Committee on Water.
SB 41, introduced by S. Brown, (By Request of the Code Commissioner). Referred to Committee on Judiciary.
SB 45, introduced by Himsl, Norman, Olson, (By Request of the Code Commissioner). Referred to Committee on Human Services.
SB 48, introduced by Ryan, (By Request of the Department of Institutions). Referred to Committee on State Administration.
SB 53, introduced by Healy, Kolstad, Graham, Etchart, (By Request of the Department of Highways). Referred to Committee on Highways and Transportation.
SB 78, introduced by Van Valkenburg, (By Request of the Department of Administration). Referred to Committee on Judiciary.

House stood at ease at 9:14 a.m.

House reconvened at 9:36 a.m.

MOTIONS

Dussault moved that HB 104 be taken off Third Reading and placed on Second Reading this day. Motion carried.

Dussault moved that HB 48 be taken from the Committee on Natural Resources and placed on Second Reading this day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Keyser in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 71 be amended as follows:

1. Page 1, lines 13 and 14.
Following: "licensee"
Strike: ", with the exception of those licensed for off-premises consumption,"

2. Page 1, line 19.
Following: "school"
Insert: ", except where local government may permit a variance" (82-10)

And as amended, do not pass. (76-17)

That HB 27 do pass. (93-0)

That HB 29 pass consideration for the day.

That HB 66 do pass. (90-3)

That HB 70 do pass. (91-0)

That HB 73 do pass. (84-5)

That HB 87 do pass. (90-2)

That HB 119 pass consideration for the day. (47-45)

That HB 136 do pass. (76-17)

HB 138 do pass. Motion failed. (40-53)
Constitutional amendment, automatically proceeds to Third Reading.

That SB 38 pass consideration for the day.

That HB 104, third reading copy, be amended as follows:

1. Page 7, line 6.
Following: "or"
Strike: "any other"
Insert: "reasonable" (89-0)

And as amended, pass consideration for the day. (59-32)

That HB 48 do pass. (93-0)

That the Committee rise and report. (Keyser, Chairman). Report adopted. (90-0)

SPECIAL ORDERS OF THE DAY

Consent Calendar

Questions were asked on HB 25, HB 28, HB 37, HB 69, HB 74, HB 97, HB 133, HB 146, HB 165, HB 167, HB 170.

The Speaker informed the House members that, due to a breakdown in the electronic voting machine printout, the voting on Third Reading and Consent Calendar bills would be passed on to the next Legislative Day for action.

MOTIONS

Dussault moved that HB 119 be taken from Second Reading and rereferred to the Committee on Judiciary. Motion carried.

Marks moved to bring the question of whether reference to individuals or certain committees or decisions of the committee may be made on the

House floor during debate, to the Rules Committee. Extensive discussion was held. A vote on the motion was taken. Motion carried.

Ramirez moved that HB 104 be rereferred to the Committee on Business and Industry for the purposes of a Statement of Intent. Motion carried.

Dussault moved that the House adjourn until 3:30 p.m., January 22, 1979.

Motion carried.

House adjourned at 12:26 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

SEVENTEENTH LEGISLATIVE DAY

Helena, Montana
January 22, 1979

House Chambers
Capitol Building

House convened at 3:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Ellis, Gesek, Holmes, Lund, Yardley, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Fourteenth Legislative Day, find the same to be correct.

METCALF, Chairman

COMMUNICATIONS AND PETITIONS

Dear Fellow Legislators: January 22, 1979

It's hard to know how to say thank you for the gift of bright and growing flowers that reached me soon after my arrival at the hospital. It may seem like a routine amenity to send flowers to a hospitalized member, but to that person, a gift of flowers like the beautiful yellow mums chosen for me takes on more than casual meaning. It's a message of understanding and acceptance that is most welcome to one who feels cut off from the work of the beloved house of which he or she has become an integral part. Thank you for sending me such a beautiful message of inclusion.

Sincerely,
Polly Holmes

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 1/22/79
Considered correctly engrossed: HB 27, HB 48, HB 66, HB 70, HB 73, HB 87, HB 136, HB 138.

Lien, Ramirez, Porter objected that HB 37 was reported out of committee with a unanimous Consent Calendar recommendation and requested that the bill be referred to Second Reading.

Sales, Nordtvedt, Nathe objected that HB 146 was reported out of committee with a unanimous Consent Calendar recommendation and requested that the bill be referred to Second Reading.

Do Pass

BUSINESS AND INDUSTRY (Quilici, Chairman): 1/22/79
HB 232, do pass. Report adopted.

JUDICIARY (Scully, Chairman): 1/22/79
HB 119, introduced bill, be amended as follows:

1. Title, line 5.
Following: "BILLS"
Strike: "ENACTED"
Insert: "INTRODUCED"

2. Page 1, line 22.
Following: "(2)"
Strike: "statutes enacted"
Insert: "bills introduced"

3. Page 1, line 24.
Following: "of the"
Strike: "legislature's"
Insert: "agency's"

4. Page 1, line 25.
Strike: "statute"
Insert: "bill"

5. Page 2, lines 6 and 7.
Strike: "or requested by a state executive branch agency"

And as amended, do pass. Report adopted.

TAXATION (Huennekens, Chairman): 1/22/79
HB 80, introduced bill, be amended as follows:

1. Page 3, line 16.
Following: "corporation"
Insert: "resulting in a federal unrelated business income tax liability of more than $100"

2. Page 3, line 17.
Following: "."
Insert: "An exempt corporation subject to taxation on unrelated business income under this section must file a copy of its federal exempt organization business income tax return, form 990-T, with the department of revenue."

And as amended, do pass. Report adopted.

Consent Calendar

Bills unanimously passed in committee and unanimously placed on Consent Calendar:

JUDICIARY (Scully, Chairman): 1/22/79
HB 183, introduced bill, be amended as follows:

1. Page 1.
Following: line 9
Insert: "Section 1. Section 18-1-412, MCA, is amended to read:

'18-1-412. Service of process upon attorney general. ~~The~~ In addition to any other requirement for service of process contained in Rule 4D(2)(h), M.R.Civ.P., the attorney general of the state of Montana is hereby designated as the person upon whom all process shall be served in actions under the provisions of this part.'"
Renumber: all subsequent sections

2. Page 3, line 9.
Following: "(1)"
Strike: "The"
Insert: "Except as provided in 1-11-301, the"

And as amended, do pass. Report adopted.

HB 185, do pass. Report adopted.
HB 224, do pass. Report adopted.

House at ease at 3:47 p.m.

House reconvened at 4:02 p.m.

Adverse Committee Reports

On motion by Quilici, the Adverse Committee Report on HB 110 was adopted by the following vote: (68-11)

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Daily, Dassinger, Donaldson, Dozier, Ellison, Ernst, Eudaily, Fabrega, Feda, Gilligan, Gould, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Johnston, Kanduch, Keedy, Kessler, Keyser, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Meyer, Nathe, Nordtvedt, Oberg, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Underdal, Waldron, Williams, Wood, Mr. Speaker.
Total 68

Noes: Cooney, Dussault, Frates, Harper, Johnson, Kemmis, Metcalf, Smith, Teague, Uhde, Vincent.
Total 11

Excused: Ellis, Gesek, Holmes, Lund, Yardley.
Total 5

Absent or not voting: Azzara, Bardanouve, Brand, Day, Ellerd, Fagg, Hand, Jensen, Kropp, Marks, Moore, O'Connell, Scully, Shelden, Vinger, Wyrick.
Total 16

On motion by Quilici, the Adverse Committee Report on HB 111 was adopted by the following vote: (67-17)

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Daily, Day, Donaldson, Ellison, Ernst, Eudaily, Fabrega, Feda, Gilligan, Gould, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Lory, Magone, Manning, Manuel, Menahan, Meyer, Moore, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vinger, Waldron, Williams, Wood, Mr. Speaker.
Total 67

Noes: Cooney, Dassinger, Dussault, Frates, Harper, Johnson, Keedy, Kemmis, Kessler, McBride, Metcalf, Nathe, Oberg, Sales, Teague, Vincent, Wyrick.
Total 17

Excused: Ellis, Gesek, Holmes, Lund, Yardley.
Total 5

Absent or not voting: Azzara, Bardanouve, Brand, Dozier, Ellerd, Fagg, Hand, Lien, Marks, Scully, Shelden.
Total 11

On motion by Quilici, the Adverse Committee Report on HB 204 was adopted by the following vote: (83-4)

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Pavlovich,

Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.
Total 83

Noes: Frates, Oberg, Teague, Waldron.
Total 4

Excused: Ellis, Gesek, Holmes, Lund, Yardley.
Total 5

Absent or not voting: Azzara, Bardanouve, Brand, Ellerd, Lien, O'Connell, Scully, Shelden.
Total 8

On motion by H. Robbins, the Adverse Committee Report on HB 93 was adopted by the following vote: (82-7)

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 82

Noes: Gilligan, Hand, O'Connell, Pistoria, Teague, Tropila, Uhde.
Total 7

Excused: Ellis, Gesek, Holmes, Lund, Yardley.
Total 5

Absent or not voting: Azzara, Bardanouve, Brand, Ellerd, Scully, Shelden.
Total 6

On motion by Frates, the Adverse Committee Report on HB 115 was adopted by the following vote: (77-12)

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Keyser, Kropp, Kvaalen, Lien, Lory, Magone, Manning, Manuel, Marks, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.
Total 77

Noes: Harper, Huennekens, Kemmis, Kessler, McBride, Menahan, Metcalf, Oberg, Porter, Reichert, Teague, Waldron.
Total 12

Excused: Ellis, Gesek, Holmes, Lund, Yardley.
Total 5

Absent or not voting: Azzara, Bardanouve, Brand, Frates, Scully, Shelden.
Total 6

On motion by Quilici, the Adverse Committee Report on HB 109 was adopted by the following vote: (77-14)

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vinger, Williams, Wood, Mr. Speaker.
Total 77

Noes: Cooney, Dussault, Frates, Harper, Johnson, Keedy, Kessler, McBride, Metcalf, Oberg, Teague, Vincent, Waldron, Wyrick.
Total 14

Excused: Ellis, Gesek, Holmes, Lund, Yardley.
Total 5

Absent or not voting: Bardanouve, Brand, Scully, Shelden.
Total 4

MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted to the House for concurrence: 1/20/79

Senate Bill No. 73, introduced by Dover, Goodover

Senate Bill No. 79, introduced by McCallum

REPORTS OF STANDING COMMITTEES

Adverse Committee Reports

On motion by Huennekens, the Adverse Committee Report on HB 154 was adopted by the following vote: (81-8)

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Harper, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Thoft, Uhde, Underdal, Vincent, Vinger, Williams, Wyrick, Mr. Speaker.
Total 81

Noes: Hand, Keyser, Nathe, O'Connell, Stobie, Teague, Tropila, Wood.
Total 8

Excused: Ellis, Gesek, Holmes, Lund, Yardley.
Total 5

Absent or not voting: Bardanouve, Brand, Dassinger, Harrington, Shelden, Waldron.

Total 6

MOTIONS

Moore moved that HB 283 be rereferred from the Committee on Taxation to the Committee on Education and Cultural Resources. Motion carried.

Kessler moved that HB 106 be taken from Second Reading and referred to the Committee on Taxation. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 291, introduced by Johnson. Referred to Committee on Taxation.
HB 292, introduced by Metcalf, Frates, Harrington, Cooney, O'Connell, Vincent, Porter, Lory, Menahan, Huennekens, McBride, Fagg, Reichert. Referred to Committee on Business and Industry.
HB 293, introduced by South. Referred to Committee on Appropriations.
HB 294, introduced by Quilici, Lory, Kolstad, Towe, (By Request of the Legislative Consumer Committee). Referred to Committee on Appropriations.
HB 295, introduced by Marks. Referred to Committee on Education and Cultural Resources.
HB 296, introduced by Lund. Referred to Committee on Education and Cultural Resources.
HB 297, introduced by Pavlovich, Moore, Johnston, Menahan, Kanduch, Gilligan, Feda. Referred to Committee on Taxation.
HB 298, introduced by Dussault, Fasbender. Referred to Committee on Education and Cultural Resources.
HB 299, introduced by Kemmis, McBride, Cooney, Vincent, Severson, Towe. Referred to Committee on Taxation.
HB 300, introduced by Quilici, Menahan, Daily, Harrington, Pavlovich, Kanduch, (By Request of the Department of Administration). Referred to Committee on State Administration.
HB 301, introduced by Quilici, Lory, Kolstad, Towe, (By Request of the Legislative Consumer Committee). Referred to Committee on Appropriations.
HB 302, introduced by Quilici, Manning, Dussault, Pavlovich, Menahan, Nathe, Feda, Harrington, Daily. Referred to Committee on Labor and Employment Relations.
HB 303, introduced by Nordtvedt, Roskie, Fabrega, Uhde, Ramirez, Lensink, Kessler, Rosenthal, Fagg, Scully, Iverson, Goodover, Teague, Turnage, Sivertsen, Mathers, Boylan, Hafferman, Ryan, Thiessen, Hazelbaker, Galt, Vincent. Referred to Committee on Taxation.
HB 304, introduced by Kanduch, Magone. Referred to Committee on Human Services.
HB 305, introduced by Gesek, Frates. Referred to Committee on Local Government.
HB 306, introduced by Gould. Referred to Committee on Labor and Employment Relations.
HB 307, introduced by Azzara, Bardanouve, Waldron, Johnston, Kemmis, Huennekens, McBride, Cooney, Frates. Referred to Committee on Local Government.
HB 308, introduced by Kemmis. Referred to Committee on Judiciary.
HB 309, introduced by Nordtvedt. Referred to Committee on Taxation.

HB 310, introduced by Ramirez. Referred to Committee on Human Services.

The following Senate bills were introduced, read first time and referred to committees:

SB 73, introduced by Dover, Goodover. Referred to Committee on Business and Industry.
SB 79, introduced by McCallum, (By Request of the Interim Subcommittee on Education). Referred to Committee on Education and Cultural Resources.

MOTIONS

Vincent moved that the Journal reflect that Lund, Gesek, Ellis, Yardley be excused because they are on official business. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Hirsch in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 29 be amended as follows:

1. Title, line 5.
Following: "WOLVERINE"
Insert: ", NORTHERN SWIFT FOX,"

2. Page 1, line 22.
Following: "wolverine,"
Insert: "northern swift fox,"

3. Page 3, line 17.
Following: "lynx"
Insert: ", northern swift fox," (63-29)

And as amended, do pass. (66-25)

That SB 38 be concurred in. (90-2)

That HB 45 do pass. (86-6)

That HB 51 do pass. (89-2)

Dussault moved that the Committee rise and report and beg leave to sit again. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 72 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega,

Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 94

Noes: K. Robbins.
Total 1

Excused: Ellis, Gesek, Holmes, Lund, Yardley.
Total 5

Absent or not voting: None.
Total 0

House Bill No. 85 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 93

Noes: Kvaalen.
Total 1

Excused: Ellis, Gesek, Holmes, Lund, Yardley.
Total 5

Absent or not voting: Bardanouve.
Total 1

House Bill No. 50 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Ellis, Gesek, Holmes, Lund, Yardley.
Total 5

Absent or not voting: None.
Total 0

House Bill No. 77 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 93

Noes: Frates, Harper.
Total 2

Excused: Ellis, Gesek, Holmes, Lund, Yardley.
Total 5

Absent or not voting: None.
Total 0

House Bill No. 107 passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 94

Noes: Bennett.
Total 1

Excused: Ellis, Gesek, Holmes, Lund, Yardley.
Total 5

Absent or not voting: None.
Total 0

House Bill No. 113 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day,

Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick.
Total 94

Noes: None.
Total 0

Excused: Ellis, Gesek, Holmes, Lund, Yardley.
Total 5

Absent or not voting: Mr. Speaker.
Total 1

House Bill No. 126 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Ellis, Gesek, Holmes, Lund, Yardley.
Total 5

Absent or not voting: Lory, Waldron.
Total 2

Consent Calendar

Senate Bill No. 25 was concurred in by the following vote:

Ayes. Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: None.
Total 0

Excused: Ellis, Gesek, Holmes, Lund, Yardley.
Total 5

Absent or not voting: None.
Total 0

House Bill No. 28 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 93

Noes: Ellerd, Roth.
Total 2

Excused: Ellis, Gesek, Holmes, Lund, Yardley.
Total 5

Absent or not voting: None.
Total 0

House Bill No. 69 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Ellis, Gesek, Holmes, Lund, Yardley.
Total 5

Absent or not voting: None.
Total 0

House Bill No. 74 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 94

Noes: Moore.
Total 1

Excused: Ellis, Gesek, Holmes, Lund, Yardley.
Total 5

Absent or not voting: None.
Total 0

House Bill No. 97 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.
Total 90

Noes: Moore, Seifert, Smith, Wyrick.
Total 4

Excused: Ellis, Gesek, Holmes, Lund, Yardley.
Total 5

Absent or not voting: Ramirez.
Total 1

House Bill No. 133 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: None.
Total 0

Excused: Ellis, Gesek, Holmes, Lund, Yardley.
Total 5

Absent or not voting: Ellison.
Total 1

House Bill No. 165 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Ellis, Gesek, Holmes, Lund, Yardley.
Total 5

Absent or not voting: Kanduch.
Total 1

House Bill No. 167 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Ellis, Gesek, Holmes, Lund, Yardley.
Total 5

Absent or not voting: Brand, Hand.
Total 2

House Bill No. 170 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 93

Noes: Nathe.
Total 1

Excused: Ellis, Gesek, Holmes, Lund, Yardley.
Total 5

Absent or not voting: Thoft.
Total 1

Senate Bill No. 7 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Ellis, Gesek, Holmes, Lund, Yardley.
Total 5

Absent or not voting: None.
Total 0

Senate Bill No. 24 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith,

South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Ellis, Gesek, Holmes, Lund, Yardley.
Total 5

Absent or not voting: Wyrick.
Total 1

House Bill No. 31 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 92

Noes: Hirsch, Roth, Schultz.
Total 3

Excused: Ellis, Gesek, Holmes, Lund, Yardley.
Total 5

Absent or not voting: None.
Total 0

House Bill No. 42 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 91

Noes: Roth, Smith, Stobie.
Total 3

Excused: Ellis, Gesek, Holmes, Lund, Yardley.
Total 5

Absent or not voting: Hurwitz.
Total 1

House Bill No. 62 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Ellis, Gesek, Holmes, Lund, Yardley.
Total 5

Absent or not voting: Hurwitz.
Total 1

House Bill No. 68 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 94

Noes: Nathe.
Total 1

Excused: Ellis, Gesek, Holmes, Lund, Yardley.
Total 5

Absent or not voting: None.
Total 0

House Bill No. 120 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: McBride, Marks, Vinger.
Total 3

Excused: Ellis, Gesek, Holmes, Lund, Yardley.
Total 5

Absent or not voting: None.
Total 0

House Bill No. 130 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Ellis, Gesek, Holmes, Lund, Yardley.
Total 5

Absent or not voting: None.
Total 0

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Hirsch in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Dussault moved that the House be permitted to sit again as a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 82 do pass. (82-13)

That HB 84 be amended as follows:

1. Title, line 6.
Strike: "AND CITY ATTORNEYS"

2. Page 1, line 23.
Following: "(1)"
Strike: "(b)"

3. Page 2, lines 1 and 2.
Strike: "or the city attorney if the land lies within the incorporated boundaries of a municipality"

4. Page 2, lines 4 through 7.
Following: "chapter."
Strike: remainder of lines 4 through 7

5. Page 2, line 8.
Following: line 7
Strike: "commence the necessary action." (83-5)

And as amended, do pass. (91-1)

That HB 91 do pass. (90-2)

That HB 172 do pass. Motion failed. (41-59)

That HB 172 do not pass. (60-37)

Ellis, Lund, Gesek, Yardley present at this time.

That HB 186 do pass. (93-0)

That HB 188 do pass. (94-0)

Kessler excused at this time.

That HB 205 do pass. Motion failed. (41-55)

That HB 205 do not pass. (58-37)

Dussault moved that HB 37 pass consideration for the day. Motion carried.

Dussault moved that HB 146 pass consideration for the day. Motion carried.

That the Committee rise and report. (Hirsch, Chairman). Report adopted. (89-0)

REPORTS OF STANDING COMMITTEES

Do Pass

HUMAN SERVICES (Holmes, Chairman): 1/22/79
HB 166, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and returned to the House for concurrence in Senate Amendments: 1/22/79

House Bill No. 6, introduced by Scully

House Bill No. 41, introduced by Marks

SPECIAL ORDERS OF THE DAY

Consent Calendar

Questions were asked on HB 134, HB 182.

Speaker Gerke reminded House members that Tuesday, January 23, 1979 is the deadline for the introduction of bills.

Dussault moved that the House adjourn until 3:30 p.m., January 23, 1979.

Motion carried.

House adjourned at 7:35 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

EIGHTEENTH LEGISLATIVE DAY

Helena, Montana
January 23, 1979

House Chambers
Capitol Building

House convened at 3:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Bengtson, Burnett, Day, Holmes, Kvaalen, Moore, Scully, South, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Fifteenth Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

Do Pass

BUSINESS AND INDUSTRY (Quilici, Chairman): 1/23/79
HB 57, introduced bill, be amended as follows:

1. Page 2, line 8.
Following: "~~others~~"
Strike: "American"

And as amended, do pass. Report adopted.

HJR 8, introduced bill, be amended as follows:

1. Page 1, lines 15 through 17.
Following: "to"
Strike: "one-half of a percentage point below the utility's average annual rate of price increase during 1976 and 1977"
Insert: "keep within the guidelines as adopted in their policy statement of December 21, 1978"

And as amended, do pass. Report adopted.

Adverse Committee Reports

TAXATION (Huennekens, Chairman): 1/23/79
HB 64, introduced bill, be amended as follows:

1. Title, line 6.
Following: "GASOLINE"
Insert: ", DIESEL FUEL, AND VOLATILE LIQUIDS"

2. Title, line 7.
Following: "UPON"
Strike: "USAGE,"
Insert: "DECREASE OR INCREASE IN GROSS RECEIPTS FROM TAX;"

3. Pages 1 and 2.
Strike: All of the bill following the enacting clause
Insert: "Section 1. Variable tax on gasoline, diesel fuel, and volatile liquids — amount based on decrease or increase in gross receipts from tax. (1) In addition to the taxes imposed under 15-70-204 and 15-70-321, there is levied on all nonaviation gasoline, diesel fuel, and volatile liquids an additional tax of not more than 2 cents a gallon.

(2) The tax shall be calculated and imposed as follows:

(a) In September and March of each year the department of revenue shall determine the total receipts collected from the taxes imposed by 15-70-204 and 15-70-321 for the 6 month periods beginning January 1 and July 1.

(b) The department shall compare the total receipts with the total receipts for the comparable period of the previous year.

(c) If the total receipts show a decrease of 5% or more of the amount collected for the same period of the previous year, the department shall increase the amount of tax imposed under 15-70-204 and 15-70-321 by 0.5 cent for each 5% decrease. If the total receipts subsequently increase by 5% or more, the department shall decrease the amount of tax by 0.5 cent for each 5% increase. The tax may not be decreased below the amounts imposed by 15-70-204 and 15-70-321.

(3) A tax increase or decrease must be imposed by the department within 90 days after the department determines that the increase or decrease is required under this section."

And as amended, do not pass.

MOTIONS

Vincent moved that the Journal reflect that Bengtson, South, Kvaalen, Moore, Day be excused for this day because they are on official business. Motion carried.

Vincent moved that HB 216 be rereferred from the Committee on Natural Resources to the Committee on Taxation. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

HB 311, introduced by Ramirez, Scully. Referred to Committee on Judiciary.

HB 312, introduced by Huennekens, Vincent. Referred to Committee on Natural Resources.

HB 313, introduced by Huennekens, Azzara, Vincent. Referred to Committee on Natural Resources.

HB 314, introduced by Reichert, (By Request of the Department of Revenue). Referred to Committee on Taxation.

HB 315, introduced by Hand, Johnston, Pavlovich, Keyser, K. Robbins, Daily, Cooney, Thoft. Referred to Committee on Highways and Transportation.

HB 316, introduced by Hand, Conroy, O'Connell, Lien, Staigmiller, Wood, Keyser, Marks, Johnston, Pavlovich, McBride, Manuel, Quilici, K. Robbins, Jensen, Pistoria, Curtiss, Gould, Nathe, Lund, Cooney, Johnson. Referred to Committee on Business and Industry.

HB 317, introduced by Bardanouve. Referred to Committee on Appropriations.

HB 318, introduced by Lien, (By Request of the Department of Revenue). Referred to Committee on Local Government.

HB 319, introduced by Hirsch, (By Request of the Department of Revenue). Referred to Committee on Taxation.

HB 320, introduced by Ramirez, Fabrega, Huennekens. Referred to Committee on Local Government.

HB 321, introduced by Dassinger, Towe, Manning, Huennekens, Teague, Shelden, Baeth, Dozier, Day. Referred to Committee on Taxation.
HB 322, introduced by Harrington. Referred to Committee on Judiciary.
HB 323, introduced by Harrington. Referred to Committee on Labor and Employment Relations.
HB 324, introduced by Menahan, Baeth, Brand, Quilici. Referred to Committee on State Administration.
HB 325, introduced by Moore, Hager, Fabrega. Referred to Committee on Business and Industry.
HB 326, introduced by Moore, Manley, Keyser. Referred to Committee on Highways and Transporation.
HB 327, introduced by Fabrega, Moore. Referred to Committee on Local Government.
HB 328, introduced by Ellerd, Thiessen, (By Request of the Legislative Audit Committee). Referred to Committee on Education and Cultural Resources.
HB 329, introduced by Shelden. Referred to Committee on Natural Resources.
HB 330, introduced by Manuel. Referred to Committee on Local Government.
HB 331, introduced by Dozier. Referred to Committee on Labor and Employment Relations.
HB 332, introduced by Keyser. Referred to Committee on Judiciary.
HB 333, introduced by Moore, Marks. Referred to Committee on Labor and Employment Relations.
HB 334, introduced by Hirsch, Huennekens, (By Request of the Revenue Oversight Committee). Referred to Committee on Business and Industry.
HB 335, introduced by Ramirez, Scully. Referred to Committee on Judiciary.
HB 336, introduced by Lory. Referred to Committee on Education and Cultural Resources.
HB 337, introduced by Stobie, Keyser. Referred to Committee on State Administration.
HB 338, introduced by Kemmis, (By Request of the Attorney General). Referred to Committee on Judiciary.
HB 339, introduced by H. Robbins, Palmer, Pistoria, Vincent. Referred to Committee on Taxation.
HB 340, introduced by Ramirez. Referred to Committee on Taxation.
HB 341, introduced by Gerke, (By Request of the Legislative Audit Committee). Referred to Committee on Local Government.
HB 342, introduced by Ellis, Gerke. Referred to Committee on Human Services.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Fabrega in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 37 do pass. (47-41)

That HB 146 do pass. (84-8)

Dussault moved that Senate Amendments to HB 6 pass for the day. Motion carried.

That SA to HB 41 be concurred in. (91-0)

That the Committee rise and report. (Fabrega, Chairman). Report adopted. (91-0)

House at ease at 4:09 p.m.

House reconvened at 4:24 p.m.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 38 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Conroy, Cooney, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 87

Noes: None.
Total 0

Excused: Bengtson, Day, Holmes, Kvaalen, Moore, Scully, South.
Total 7

Absent or not voting: Brand, Burnett, Curtiss, Johnson, Pistoria, Waldron.
Total 6

House Bill No. 27 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Conroy, Cooney, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: None.
Total 0

Excused: Bengtson, Day, Holmes, Kvaalen, Moore, Scully, South.

Total 7

Absent or not voting: Burnett, Curtiss, Johnson.
Total 3

House Bill No. 48 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Hayne, Stobie.
Total 2

Excused: Bengtson, Day, Holmes, Kvaalen, Moore, Scully, South.
Total 7

Absent or not voting: Harrington, Wood.
Total 2

House Bill No. 66 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Ellerd, Keedy.
Total 2

Excused: Bengtson, Day, Holmes, Kvaalen, Moore, Scully, South.
Total 7

Absent or not voting: None.
Total 0

House Bill No. 70 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lund, McBride, Magone, Manning, Manuel,

Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Ellerd.
Total 1

Excused: Bengtson, Day, Holmes, Kvaalen, Moore, Scully, South.
Total 7

Absent or not voting: Hurwitz, Johnson, Lory.
Total 3

House Bill No. 73 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Burnett.
Total 1

Excused: Bengtson, Day, Holmes, Kvaalen, Moore, Scully, South.
Total 7

Absent or not voting: None.
Total 0

House Bill No. 87 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Burnett.
Total 1

Excused: Bengtson, Day, Holmes, Kvaalen, Moore, Scully, South.
Total 7

Absent or not voting: None.
Total 0

House Bill No. 136 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Brand, Conroy, Cooney, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellis, Ellison, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Seifert, Shelden, Sivertsen, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Yardley, Mr. Speaker.
Total 73

Noes: Bennett, Bertelsen, Burnett, Curtiss, Ellerd, Ernst, Hayne, Kropp, Marks, Nordtvedt, Rosenthal, Roth, Sales, Schultz, Smith, Spilker, Stobie, Waldron, Wood, Wyrick.
Total 20

Excused: Bengtson, Day, Holmes, Kvaalen, Moore, Scully, South.
Total 7

Absent or not voting: None.
Total 0

House Bill No. 138 failed to pass by the following vote:

Ayes: Anderson, Bennett, Bertelsen, Brand, Burnett, Conroy, Curtiss, Donaldson, Ernst, Fagg, Feda, Gould, Hand, Harrington, Jensen, Johnson, Keedy, Keyser, Kropp, Lien, Manning, Manuel, Oberg, Pistoria, Porter, Ramirez, Reichert, K. Robbins, Rosenthal, Sales, Schultz, Seifert, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Wyrick.
Total 41

Noes: Azzara, Baeth, Bardanouve, Bengtson, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Ellerd, Ellis, Ellison, Eudaily, Fabrega, Frates, Gesek, Gilligan, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnston, Kanduch, Kemmis, Kessler, Kvaalen, Lory, Lund, McBride, Magone, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Pavlovich, Quilici, H. Robbins, Roth, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 56

Paired: Brand, Harrington, Oberg, Teague, Vincent, Ayes; Bengtson, Day, Holmes, Kvaalen, Moore, Noes.

Excused: Scully, South.
Total 2

Absent or not voting: O'Connell.
Total 1

Consent Calendar

House Bill No. 134 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek,

Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: None.
Total 0

Excused: Bengtson, Day, Holmes, Kvaalen, Moore, Scully, South.
Total 7

Absent or not voting: Bennett, Marks, Vinger.
Total 3

House Bill No. 182 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: None.
Total 0

Excused: Bengtson, Day, Holmes, Kvaalen, Scully, South.
Total 6

Absent or not voting: Ernst, Moore.
Total 2

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 1/23/79
Correctly engrossed: HB 29, HB 84.
Considered correctly engrossed: HB 45, HB 51, HB 82, HB 91, HB 186, HB 188.
Correctly printed: HB 80, HB 119, HB 166, HB 183, HB 185, HB 224, HB 232.

Do Pass

AGRICULTURE, LIVESTOCK AND IRRIGATION (Hirsch, Vice-Chairman): 1/22/79
HB 218, introduced bill, be amended as follows:

1. Title, line 5.
Following: "AN ACT"
Strike: "REQUIRING"

Insert: "ALLOWING"

2. Page 1, line 23.
Following: "owner"
Strike: The remainder of lines 23 through 25 in their entirety

And as amended, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Williams, Chairman): 1/23/79
HB 147, do pass. Report adopted.

STATE ADMINISTRATION (Brand, Chairman): 1/23/79
HB 24, do pass. Report adopted.
HB 124, do pass. Report adopted.
HB 215, do pass. Report adopted.

Adverse Committee Reports

STATE ADMINISTRATION (Brand, Chairman): 1/23/79
HB 135, do not pass.

Consent Calendar

Bills unanimously passed in committee and unanimously placed on Consent Calendar:

LABOR AND EMPLOYMENT RELATIONS (Williams, Chairman): 1/23/79
HB 159, introduced bill, be amended as follows:

1. Page 4, line 14.
Strike: "not"

And as amended, do pass. Report adopted.

Dussault moved that the House adjourn until 3:30 p.m., January 24, 1979.

Motion carried.

House adjourned at 4:21 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

NINETEENTH LEGISLATIVE DAY

Helena, Montana
January 24, 1979

House Chambers
Capitol Building

House convened at 3:29 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Bengtson, Kvaalen, Moore, South, excused; Azzara, Holmes, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Sixteenth Legislative Day, find the same to be correct.

METCALF, Chairman

COMMUNICATIONS AND PETITIONS

Thank you for your kindness ... your thoughtfulness.

Please express Oscar's and my appreciation for the beautiful spray of flowers for my Dad's funeral last Thursday. He was what Montana was built on — a pioneer homesteader.

Thank you
Ruth Kvaalen

Thank you for remembering us in such a thoughtful way.

The Jim Burnhams

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 1/24/79
Considered correctly engrossed - HB 37, HB 146.
Correctly printed - HB 24, HB 57, HB 124, HB 147, HB 159, HB 215, HB 218, HJR 8.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Metcalf, Chairman): 1/24/79
Respectfully recommend that the attaches approved by the Committee on Legislative Administration be approved by this Body:

Jean Tschirgi .....Stenographer (full-time)
Lori Walker .....Secretary (part-time)
Cheryl Vandenacre .....Secretary (part-time)
Jeanne Glennon .....Stenographer (part-time)
Katherine Miller .....Typist-proofreader (full-time)

Do Pass

BUSINESS AND INDUSTRY (Quilici, Chairman): 1/24/79
HB 178, introduced bill, be amended as follows:

1. Page 2, line 10.
Following: "the"
Strike: "revenue"
Insert: "revenues"

And as amended, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Baeth, Chairman): 1/23/79
HB 67, introduced bill, be amended as follows:

1. Page 2, line 13.
Following: "vehicles."
Insert: "The scope of the inspections is limited to the enforcement of the provisions of Title 69, chapter 12."

And as amended, do pass. Report adopted.

STATE ADMINISTRATION (Brand, Chairman): 1/24/79
HB 169, do pass. Report adopted.
HB 23, do pass. Report adopted.

Azzara, Holmes present at this time.

Adverse Committee Reports

Nordtvedt, Sales, Fabrega, Roth, Anderson, Hemstad, Lund, Bennett, Ellerd, Sivertsen objected that HB 135 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

BUSINESS AND INDUSTRY (Quilici, Chairman): 1/24/79
HB 89, do not pass.

On motion by Huennekens, the Adverse Committee Report on HB 64 was adopted. (82-6)

MOTIONS

Vincent moved that the Journal reflect that Bengtson, Kvaalen, Moore, South be excused as they are on official legislative business this day. Motion carried.

Vincent moved that HB 343 be rereferred from the Committee on Judiciary to the Committee on State Administration. Motion carried.

Dussault moved that the rules be suspended to allow the extension of the deadline on introduction of bills so that Representative Holmes can introduce bills until 5:00 p.m. on the Twentieth Legislative Day. Motion carried. (89-0)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were received in the office of the Chief Clerk prior to the 5:00 p.m. deadline on the Eighteenth Legislative Day, January 23, 1979:

HB 343, introduced by Tropila, Brand, Menahan, Kanduch, Gilligan, Quilici, Keyser, Fabrega, Moore, Scully, Pistoria, O'Connell, Teague. Referred to Committee on Judiciary.
HB 344, introduced by Ramirez, Fagg, Sivertsen, Nathe. Referred to Committee on Taxation.
HB 345, introduced by Vincent. Referred to Committee on Judiciary.
HB 346, introduced by Uhde. Referred to Committee on State Administration.
HB 347, introduced by Gerke. Referred to Committee on Business and Industry.
HB 348, introduced by Iverson, Schultz, Seifert, Marks, Roth, Keyser, Conroy, Keedy, Quilici, Rosenthal, (By Request of the Attorney General). Referred to Committee on Highways and Transportation.
HB 349, introduced by Anderson, Keyser, Dozier, Harrington, Porter. Referred to Committee on Labor and Employment Relations.
HB 350, introduced by Vincent. Referred to Committee on State Administration.

HB 351, introduced by Pistoria. Referred to Committee on Taxation.
HB 352, introduced by Kessler, Azzara, Harper, Williams, Keedy, Johnston. Referred to Committee on Judiciary.
HB 353, introduced by Gerke. Referred to Committee on Local Government.
HB 354, introduced by Quilici, Kolstad, Lory, Towe. Referred to Committee on Appropriations.
HB 355, introduced by Hurwitz, Ramirez, Conroy, Lien. Referred to Committee on Judiciary.
HB 356, introduced by Ellis, Rasmussen, (By Request of the Department of Fish and Game). Referred to Committee on Appropriations.
HB 357, introduced by Ellis, Rasmussen. Referred to Select Committee on Employee Compensation.
HB 358, introduced by Curtiss, Conroy, Wyrick, Schultz, Ellerd. Referred to Committee on State Administration.
HB 359, introduced by Quilici, Kolstad, Lory, Towe, (By Request of the Legislative Consumer Committee). Referred to Committee on Business and Industry.
HB 360, introduced by Gerke. Referred to Committee on Business and Industry.
HB 361, introduced by Dassinger, Manning, Lien. Referred to Committee on Local Government.
HB 362, introduced by Fagg, Burnett, Hurwitz. Referred to Committee on Labor and Employment Relations.
HB 363, introduced by Bertelsen, (By Request of the Department of Revenue). Referred to Committee on Taxation.
HB 364, introduced by Uhde, Keedy. Referred to Committee on Highways and Transportation.
HB 365, introduced by Kessler, Fagg, Azzara, Dozier, Kemmis. Referred to Committee on Local Government.
HB 366, introduced by Kessler, Fagg, Azzara, Dozier, Kemmis. Referred to Committee on Local Government.
HB 367, introduced by Lien, Smith. Referred to Committee on Taxation.
HB 368, introduced by Dussault, Huennekens. Referred to Committee on Judiciary.
HB 369, introduced by H. Robbins, Gilligan, (By Request of the Department of Revenue). Referred to Committee on Judiciary.
HB 370, introduced by Ramirez, Huennekens. Referred to Committee on Taxation.
HB 371, introduced by Ramirez, Huennekens. Referred to Committee on Taxation.
HB 372, introduced by Fabrega, Roskie, O'Connell, Tropila. Referred to Committee on Natural Resources.
HB 373, introduced by Roth, Hurwitz. Referred to Committee on Natural Resources.
HB 374, introduced by Seifert, Anderson, Keedy, Spilker, Conroy, Wyrick, Uhde, Meyer, Smith, Marks, Nathe. Referred to Committee on Fish and Game.
HB 375, introduced by Seifert, Conroy, Tropila, Roth, Meyer, Kropp, Wyrick, Ellerd, Bardanouve, Nordtvedt, Iverson, Schultz, Thoft, Ramirez, Nathe, Smith, Keyser. Referred to Committee on Business and Industry.
HB 376, introduced by Sales. Referred to Committee on Taxation.
HB 377, introduced by Nathe. Referred to Committee on Natural Resources.
HB 378, introduced by Manning, Magone, McBride, Johnson, Brand, Hemstad, Huennekens, Menahan, Johnston, Harper, Vincent,

Reichert, Gesek, Tropila, Dussault. Referred to Committee on Labor and Employment Relations.

HB 379, introduced by Metcalf, Lory, Quilici, Magone, Meyer. Referred to Committee on State Administration.

HB 380, introduced by Kemmis. Referred to Committee on Highways and Transportation.

HB 381, introduced by Kessler. Referred to Committee on Local Government.

HB 382, introduced by Menahan. Referred to Committee on Local Government.

HB 383, introduced by Ramirez, Porter, Fagg, Huennekens, Frates, Dozier, Kessler, Daily, Donaldson. Referred to Committee on Education and Cultural Resources.

HB 384, introduced by Sales, (By Request of the Department of Community Affairs). Referred to Committee on State Administration.

HB 385, introduced by Fabrega. Referred to Committee on Taxation.

HB 386, introduced by Quilici, Menahan, Dussault, Fagg, Daily, Metcalf, McBride, Fabrega, Harrington, Pavlovich. Referred to Committee on State Administration.

HB 387, introduced by Sales. Referred to Committee on Local Government.

HB 388, introduced by Kemmis, Kessler, Reichert, Roskie. Referred to Committee on Local Government.

HB 389, introduced by Keedy, Ellis, Keyser, Lory, Bertelsen, Sivertsen, Fabrega, Nordtvedt, Anderson, Harper, Hirsch, Conroy. Referred to Committee on Judiciary.

HB 390, introduced by Teague, Keyser, Staigmiller, Pistoria, Conroy, Dozier, Menahan, Pavlovich, Feda, K. Robbins, Daily, Roth, Gould, Burnett, Manning, Anderson, Wyrick. Referred to Committee on Judiciary.

HB 391, introduced by Hemstad, Pistoria. Referred to Committee on Local Government.

HB 392, introduced by McBride, Quilici, Manning, Harrington, Cooney, Pavlovich, Daily, Kanduch. Referred to Committee on Local Government.

HB 393, introduced by Frates, Ramirez. Referred to Committee on Business and Industry.

HB 394, introduced by Teague, Tropila, K. Robbins, Manning. Referred to Committee on Business and Industry.

HB 395, introduced by Conroy, Lien, Hand, Smith, Menahan, Hemstad, Sivertsen, Seifert, Ramirez, Fabrega, Ellerd, Tropila, Pistoria, Teague, Johnston, Manuel, Keyser, Porter, Donaldson. Referred to Committee on Taxation.

HB 396, introduced by Keedy, Ramirez, Kessler, Ellis, Sivertsen, Keyser, Iverson, Bertelsen, Fabrega, Hirsch, Nordtvedt, Anderson, Conroy. Referred to Committee on Judiciary.

HB 397, introduced by Huennekens. Referred to Committee on Taxation.

HB 398, introduced by Huennekens, Pistoria, Fabrega. Referred to Committee on Taxation.

HB 399, introduced by Harper, Teague, Harrington. Referred to Committee on Local Government.

HB 400, introduced by Huennekens. Referred to Committee on Taxation.

HB 401, introduced by Harper, Keedy, Kemmis, Yardley. Referred to Committee on Judiciary.

HB 402, introduced by Uhde, Towe, Conroy, Keedy. Referred to Committee on Taxation.

HB 403, introduced by Ellis, (By Request of the Legislative Audit Committee). Referred to Committee on State Administration.
HB 404, introduced by Sales. Referred to Committee on Local Government.
HJR 11, introduced by Gesek, Huennekens, Dussault. Referred to Committee on Human Services.
HJR 12, introduced by Seifert, Lowe, Williams, Johnston, Conroy, Underdal, Nathe, Ramirez, Iverson, Marks, Kanduch, Bennett, Keyser, Smith, Hayne, Porter, Spilker, Donaldson, Meyer, Jensen, Manning, Gerke, Hemstad, Gould, Stobie, Feda, Quilici, Daily, Harrington, Magone, Gilligan, Pistoria, Fabrega, Staigmiller, O'Connell, Thoft, Pavlovich, Sivertsen, Rosenthal, Nordtvedt, Lien, Brand. Referred to Committee on Business and Industry.
HJR 13, introduced by Harper, O'Connell, Brand. Referred to Committee on State Administration.
HJR 14, introduced by Vinger, Ramirez. Referred to Committee on Local Government.

At this time, Representatives Scully and Day informed the house members of a Joint Hearing on Water Legislation they attended in the Wyoming State Legislature the previous day.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Uhde in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 80 do pass. (85-8)

That HB 119 do pass. (58-31)

Hemstad moved that HB 166 pass consideration for the day. Motion carried.

That HB 232 do pass. (89-3)

That SA to HB 6 be concurred in. (91-2)

That the Committee rise and report. (Uhde, Chairman). Report adopted. (88-2)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 29 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Ernst, Eudaily, Feda, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Holmes, Huennekens, Hurwitz, Johnson, Kanduch, Keedy, Kemmis, Kessler, Lory, Lund, McBride, Magone, Manning, Menahan, Metcalf, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K.

Robbins, Rosenthal, Roth, Sales, Scully, Shelden, Spilker, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 62

Noes: Brand, Burnett, Conroy, Curtiss, Donaldson, Ellerd, Ellison, Fabrega, Hand, Hayne, Hemstad, Hirsch, Iverson, Johnston, Keyser, Kropp, Manuel, Marks, Meyer, Nathe, Pistoria, Schultz, Seifert, Sivertsen, Smith, Staigmiller, Stobie, Thoft, Underdal, Vinger, Wyrick.
Total 31

Excused: Bengtson, Kvaalen, Moore, South.
Total 4

Absent or not voting: Fagg, Jensen, Lien.
Total 3

House Bill No. 45 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell; Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Pistoria.
Total 1

Excused: Bengtson, Kvaalen, Moore, South.
Total 4

Absent or not voting: Fagg, Lien.
Total 2

House Bill No. 51 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Day, Nordtvedt.
Total 2

Excused: Bengtson, Kvaalen, Moore, South.
Total 4

Absent or not voting: Fagg, Lien.
Total 2

House Bill No. 82 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Scully, Shelden, Sivertsen, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.
Total 80

Noes: Burnett, Ellison, Hayne, Keyser, Kropp, Nordtvedt, Roth, Sales, Seifert, Smith, Stobie, Underdal, Wyrick, Yardley.
Total 14

Excused: Bengtson, Kvaalen, Moore, South.
Total 4

Absent or not voting: Fagg, Lien.
Total 2

House Bill No. 84 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Smith, Stobie.
Total 2

Excused: Bengtson, Kvaalen, Moore, South.
Total 4

Absent or not voting: Fagg, Hurwitz, Lien.
Total 3

House Bill No. 91 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins,

Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 87

Noes: Day, Ellison, Harper, Hirsch, Nathe, Seifert, Smith.
Total 7

Excused: Bengtson, Kvaalen, Moore, South.
Total 4

Absent or not voting: Fagg, Lien.
Total 2

House Bill No. 186 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Burnett, Smith.
Total 2

Excused: Bengtson, Kvaalen, Moore, South.
Total 4

Absent or not voting: Bertelsen, Lien, K. Robbins.
Total 3

House Bill No. 188 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Bengtson, Kvaalen, Moore, South.
Total 4

Absent or not voting: Lien.
Total 1

Senate Amendments to House Bill No. 41 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Bengtson, Kvaalen, Moore, South.
Total 4

Absent or not voting: Ellison, Lien.
Total 2

SPECIAL ORDERS OF THE DAY

Consent Calendar

Questions were asked on HB 183, HB 185, HB 224.

MOTIONS

Dussault moved that HB 166 be taken off Second Reading and referred to Human Services for purposes of attaching a Statement of Intent. Motion carried.

Dussault moved that the rules be suspended to allow Representative O'Connell to introduce a resolution which she has in her possession. Motion carried. (92-1)

The Speaker reminded the House members of the deadline for introduction of revenue bills which is the Twenty-first Legislative Day.

Dussault reminded the House members that in order to change their vote, they must notify the Clerk before the vote is read across the Rostrum or they must move to change their vote. Such motion must be passed unanimously.

Dussault moved that the House adjourn until 3:30 p.m., January 25, 1979.

Motion carried.

House adjourned at 4:23 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

TWENTIETH LEGISLATIVE DAY

Helena, Montana
January 25, 1979

House Chambers
Capitol Building

House convened at 3:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Bengtson, Dassinger, Dozier, Ellerd, Fagg, Harper, Kvaalen, Manning, Menahan, Moore, Pavlovich, Porter, Seifert, South, Stobie, Underdal, Williams, excused; Conroy, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Seventeenth Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 1/25/79
Considered correctly engrossed - HB 80, HB 119, HB 232.
Correctly printed - HB 23, HB 135, HB 169, HB 178.

Will be signed by the Speaker on adjournment, 1/25/79 - SB 7, SB 24, SB 25.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Metcalf, Chairman): 1/25/79
Respectfully recommend that the attache approved by the Committee on Legislative Administration be approved by this body:

Joan Uda .....Att. at Law, for Select Comm. on Prisons/House of Rep.

Do Pass

BUSINESS AND INDUSTRY (Quilici, Chairman): 1/25/79
HB 104, do pass. Report adopted.

HOUSE OF REPRESENTATIVES
COMMITTEE ON BUSINESS AND INDUSTRY
STATEMENT OF INTENT RE: 104

A Statement of Intent is required for this bill in that it amends section 50-3-103, MCA, which delegates authority to the state fire marshal to promulgate rules in section 2.

1. Under section 2, the bill amends 50-3-103(1), MCA, to remove the authority of the state fire marshal to promulgate rules concerning the design and construction of buildings and installation of equipment and materials therein. This authority is no longer necessary as the department of administration has adopted the uniform building code which governs the design and construction of buildings and installation of equipment and materials therein.

2. Under section 2, the bill amends 50-3-103(3), MCA, which states that the state fire marshal may adopt the standards of the "international conference of building officials, and western fire chiefs association." This language refers to the uniform fire code. It is not intended that this be an additional grant of rulemaking authority to the state fire marshal, as the state fire marshal has already adopted the uniform fire code under its rulemaking authority in 50-3-102, MCA. This language was added solely

for the purpose of clarity. The uniform fire code is the companion code to the uniform building code already in effect. It should be noted that the state fire marshal adopted the uniform fire code to provide for consistency in rules relating to building and equipment standards. This consistency is necessary as the uniform fire code has rules governing the use of buildings and the uniform building code has rules governing the design and construction of buildings.

3. Under section 6, 50-61-115, MCA, is amended to allow the fire marshal to adopt rules governing the form and method for notice of violations pertaining to the erection of fire escapes and maintenance of fire apparatus. This is not intended to provide an additional or new delegation of authority to the state fire marshal to adopt rules. The rules governing the form and method for notice of such violations are provided for in the uniform fire code which is in effect. This language was added for clarity. Sections 50-61-115 (2) and (3), MCA, which specified the form and method of notice of violations were repealed as they conflicted with the provisions in the uniform fire code.

4. Under section 7, 50-62-102, MCA, was amended to allow the fire marshal to adopt rules relating to the "repair, rehabilitation, demolition, or renewal of unsafe buildings". Again, this language is not intended to delegate new or additional rulemaking authority to the state fire marshal. The state fire marshal already has the authority to adopt rules relating to safeguarding life and property from the hazards of fire and the power to maintain an action to enjoin the use of all or a portion of a building if it is dangerous under 50-3-102 (2), MCA. The authority to promulgate rules was merely repeated here as the section addresses specifically the problem of unsafe buildings.

/s/ Quilici

EDUCATION AND CULTURAL RESOURCES (Gilligan, Chairman): 1/24/79
HB 132, do pass. Report adopted.

JUDICIARY (Scully, Chairman): 1/24/79
HB 203, introduced bill, be amended as follows:

1. Title, line 5.
Following: "ACT"
Insert: "; AMENDING SECTION 26-3-203, MCA"

2. Page 2.
Following: line 20
Insert: "SECTION 6. THERE IS A NEW MCA SECTION THAT READS:

When execution may be issued. No execution or other process for enforcement of a foreign judgment filed under [sections 1 through 8] may be issued until 20 days after the date the judgment is filed."
Renumber: all subsequent sections

3. Page 3.
Following: line 15
Insert: "SECTION 9. SECTION 26-3-203, MCA, IS AMENDED TO READ:

'26-3-203. Effect of judicial record of another state. The effect of a judicial record of a sister state is the same in this state as in the state where it was made, except that it can only be enforced here by an action or special proceeding or as provided in [sections 1

through 8] and except that the authority of a guardian or committee or of an executor or administrator does not extend beyond the jurisdiction of the government under which he was invested with his authority.'"

And as amended do pass. Report adopted.

HB 223, introduced bill, be amended as follows:

1. Page 3, line 14.
Following: "order a"
Insert: "previously designated"

2. Page 3, line 15.
Following: "employee"
Insert: "or other telephone company official to arrange"

3. Page 3, line 19.
Following: "officer."
Insert: "The serving telephone company within the geographical area of a law enforcement agency shall designate a telephone company security employee or other telephone company official and an alternate to provide all required assistance to law enforcement officials to carry out the purposes of this subsection."
Following: "A telephone security employee"
Insert: "or other telephone company official"

And as amended, do pass. Report adopted.

HB 225, do pass. Report adopted.
HB 226, introduced bill, be amended as follows:

1. Title, line 5.
Following: "ATTORNEY"
Insert: "OR DEPUTY COUNTY ATTORNEYS"

2. Page 1, line 12.
Strike: "other than the county attorney"

3. Page 1, line 14.
Following: "visitation."
Insert: "The county attorney and the deputy county attorneys, if any, may not be appointed for this purpose."

4. Page 2, lines 15 and 16.
Strike: "other than the county attorney"

5. Page 2, line 18.
Following: "older."
Insert: "The county attorney and the deputy county attorneys, if any, may not be appointed for this purpose."

And as amended, do pass. Report adopted.

HB 229, do pass. Report adopted.
HB 242, introduced bill, be amended as follows:

1. Page 3, lines 8 through 11.
Following: "examiner"
Strike: remainder of subsection (1)(a) in its entirety
Insert: ":"

2. Page 3.
Following: line 11

Insert: "(i) written or oral evidence in opposition to the agency's action or refusal to act;

(ii) a written statement challenging the grounds upon which the agency has chosen to justify its action or inaction; or

(iii) other written or oral evidence relating to the contested case;"

And as amended, do pass. Report adopted.

HB 250, do pass. Report adopted.
HB 259, introduced bill, be amended as follows: 1/25/79

1. Title, line 8.
Following: "BIAS;"
Insert: "PROVIDING THAT THE DECISION OF THE HEARING EXAMINER IS FINAL IN CERTAIN CIRCUMSTANCES;"

2. Page 2, line 14.
Following: line 13
Insert: "disqualification by law,"

3. Page 2, line 21.
Following: "that"
Strike: "bias or prejudice exists"
Insert: "the hearing examiner should be disqualified"

4. Page 2.
Following: line 23
Insert: "(5) When in a contested case all of the officials of the agency who are to render the final decision have been disqualified, the agency shall appoint a hearing examiner as provided in this section, and the decision of the hearing examiner constitutes the agency's final order. Except as provided in this subsection, such final order is subject to all provisions of this chapter relating to final agency decisions or orders, including judicial review under part 7 of this chapter."

And as amended, do pass. Report adopted.

HB 270, introduced bill, be amended as follows: 1/24/79

1. Page 1, line 12.
Following: "~~shall~~"
Strike: "may be"
Insert: "is"

And as amended, do pass. Report adopted.

HB 308, do pass. Report adopted. 1/25/79
SB 56, be concurred in. Report adopted. 1/24/79
SB 63, be concurred in. Report adopted.
SB 78, third reading copy, be amended as follows: 1/25/79

1. Title, lines 7 and 8.
Following: "SERVED"
Strike: remainder of lines 7 and 8 in its entirety
Insert: "PURSUANT TO RULE 4D(2)(H), M.R.CIV.P."

2. Page 1, line 14.
Strike: "on"

3. Page 1, lines 15 and 16.
Following: line 14

Strike: "the"
Following: "~~state~~"
Strike: "DIRECTOR OF THE department of administration IN ADDITION TO SERVICE REQUIRED BY"
Insert: "pursuant to"

And as amended, be concurred in. Report adopted.

NATURAL RESOURCES (Shelden, Chairman): 1/24/79
HB 192, introduced bill, be amended as follows:

1. Page 9, line 1.
Following: "weeds;"
Insert: "lagooning, meaning the placement of a narrow strip of land across a portion of a lake to create a lagoon;"

And as amended, do pass. Report adopted.

Adverse Committee Reports

AGRICULTURE, LIVESTOCK AND IRRIGATION (Day, Chairman): 1/24/79
HB 99, introduced bill, be amended as follows:

1. Page 4.
Following: line 10
Insert: "(3) A landowner whose property lies within the boundaries of a proposed district may petition the governing body to exclude his land from the district. Within 10 days after the filing of the petition, the governing body, if it finds that such exclusion would not be detrimental to the public interest, shall make an order recorded in its minutes excluding the land of the petitioner from the district."
Renumber: subsequent subsection

2. Page 6, lines 9 through 11.
Following: "county."
Strike: remainder of lines 9 through 11 in their entirety

3. Page 6, line 17.
Following: line 16
Strike: "administer and implement a rodent abatement program"
Insert: "pay all costs and expenses incurred by the district"

4. Page 6, line 19.
Following: "grazing,"
Insert: "and"

5. Page 6, line 20.
Following: "forest"
Strike: ", and railroad"

6. Page 7, line 8.
Following: "may"
Strike: "issue an order to the landowner to"

7. Page 7, line 10.
Following: "(2)"
Strike: "If the landowner is unwilling or unable to carry out the necessary rodent control measures, the"
Insert: "The"

8. Page 7, line 16 through line 7 on page 8.

Strike: section 14 in its entirety
Renumber: all subsequent subsections

9. Page 10, line 15.
Following: "imposed"
Strike: "pursuant to [section 14 of this act]"
Insert: "hereunder"

And as amended, do not pass.

BUSINESS AND INDUSTRY (Quilici, Chairman): 1/25/79
HB 180, do not pass.

Consent Calendar

Bills unanimously passed in committee and unanimously placed on Consent Calendar:

JUDICIARY (Scully, Chairman): 1/24/79
HB 184, introduced bill, be amended as follows:

1. Page 2, line 3.
Following: line 2
Insert: "or"
Following: "things"
Strike: ", or persons"

2. Page 2, line 5.
Strike: "persons or"
Strike: "them or"

3. Page 2, line 17.
Strike: "or persons"

And as amended, do pass. Report adopted.

HB 194, introduced bill, be amended as follows:

1. Page 3, lines 9 and 10.
Following: line 8
Strike: lines 9 and 10 in their entirety
Renumber: subsequent subsections

2. Page 8, line 18 through line 7, page 9.
Strike: section 10 in its entirety
Renumber: all subsequent sections

And as amended, do pass. Report adopted.

SB 4, third reading copy, be amended as follows:

1. Page 2, line 14.
Following: "may"
Strike: "satisfy"
Insert: "discharge or release"

2. Page 2, line 16.
Following: line 15
Strike: "satisfaction"
Insert: "discharge or release"

3. Page 2, line 22.
Following: "with the"
Strike: "satisfaction"
Insert: "discharge or release"

4. Page 2, line 24.
Following: "the"
Strike: "satisfaction"
Insert: "discharge or release"

5. Page 2, line 25.
Following: "was"
Strike: "satisfied"
Insert: "discharged or released"

6. Page 4, line 5.
Following: "months for"
Strike: "1 horse, 2"
Insert: "2 horses, 8"

7. Page 4, line 6.
Following: "calves,"
Strike: "4"
Insert: "12"
Following: "hogs, and"
Strike: "50"
Insert: "100"
Following: "fowls;"
Insert: "; 1 lamb, 2 turtle doves, and a partridge in a pear tree;"

And as amended, be concurred in. Report adopted.

SB 33, be concurred in. Report adopted.
SB 41, be concurred in. Report adopted.

NATURAL RESOURCES (Shelden, Chairman): 1/24/79
HB 168, do pass. Report adopted.

Nordtvedt, Bertelsen, Reichert objected that HB 224 was reported out of committee with a unanimous Consent Calendar recommendation and requested that the bill be referred to Second Reading.

MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted to the House for concurrence: 1/25/79

Senate Bill No. 88, introduced by Turnage, Towe

MOTIONS

Vincent moved that the Journal reflect that South, Bengtson, Moore, Kvaalen be excused because they are on official legislative business. Motion carried.

Dussault moved that HB 393 be rereferred from the Committee on Business and Industry to the Committee on Human Services. Motion carried.

Yardley moved that HB 269 be rereferred from the Committee on Judiciary to the Committee on Taxation. Motion carried.

Baeth moved that HB 67 be taken from Printing and referred to the Committee on Highways and Transportation for the purpose of amendment. Motion carried.

Dussault moved that HB 124, presently on Second Reading this day, pass consideration for the day and be placed on Second Reading on the Twenty-First Legislative Day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 405, introduced by Bardanouve. Referred to Committee on State Administration.

HB 406, introduced by Conroy, Smith, Marks, Iverson, Day, Johnston, Ernst, Kropp, Seifert, Burnett, Roth, Feda, Wyrick, Vinger, Harper, Lien, Schultz, Gould. Referred to Committee on Natural Resources.

HB 407, introduced by H. Robbins, Fabrega, (By Request of the Department of Revenue). Referred to Committee on Taxation.

HB 408, introduced by Vinger, Jensen, Anderson, Keyser, Iverson, Uhde, Conroy. Referred to Committee on Education and Cultural Resources.

Rules suspended to allow introduction of HJR 15 by 5:00 p.m. on the Nineteenth Legislative Day.

HJR 15, introduced by O'Connell, Quilici, Porter, Conroy, Burnett, Wyrick, Teague, Manning, Harrington, Hayne, Rosenthal, Nathe, Roth, Wood, Bennett, Johnston, Pistoria, Menahan, Manuel, Staigmiller, Stobie, Curtiss, Feda, Vinger, Tropila, H. Robbins, Meyer. Referred to Committee on Judiciary.

The following Senate bill was introduced, read first time and referred to committee.

SB 88, introduced by Turnage, Towe, (By Request of the Revenue Oversight Committee). Referred to Committee on Judiciary.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Lund in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 24 do pass. (77-1)

That HB 57 do pass. (75-0)

That HB 147 do pass. (53-24)

That HB 215 do pass. (74-1)

Ellerd, Williams, Fagg, Porter, Dozier, Manning, Dassinger, Harper, Stobie, Seifert, Menahan, Underdal present at this time.

Hirsch moved that HB 218 be passed to the bottom of the board. Motion carried.

That HJR 8 do pass. (82-11)

That HB 224 do pass. (89-1)

That HB 218 do pass. (85-4)

That the Committee rise and report. (Lund, Chairman). Report adopted. (88-1)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 37 was passed by the following vote:

Ayes: Baeth, Bardanouve, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, Spilker, Staigmiller, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Yardley.
Total 77

Noes: Anderson, Ernst, Fabrega, Keyser, Nathe, Pistoria, Ramirez, Sales, Smith, Stobie, Uhde, Wood, Wyrick.
Total 13

Excused: Bengtson, Kvaalen, Moore, South.
Total 4

Absent or not voting: Azzara, Ellerd, Hirsch, Kessler, Reichert, Mr. Speaker.
Total 6

House Bill No. 146 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 84

Noes: Conroy, Day, Donaldson, Nathe, Sales, Sivertsen, Smith, Vinger.
Total 8

Excused: Bengtson, Kvaalen, Moore, South.
Total 4

Absent or not voting: Azzara, Ellerd, Hirsch, Kessler.
Total 4

Senate Amendments to House Bill No. 6 were concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek,

Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: None.
Total 0

Excused: Bengtson, Kvaalen, Moore, South.
Total 4

Absent or not voting: Azzara, Ellerd, Hirsch, Kessler.
Total 4

Consent Calendar

House Bill No. 183 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: None.
Total 0

Excused: Bengtson, Kvaalen, Moore, South.
Total 4

Absent or not voting: Azzara, Ellerd, Hirsch, Stobie.
Total 4

House Bill No. 185 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Bengtson, Ellerd, Kvaalen, Moore, South.
Total 5

Absent or not voting: Azzara, Stobie.
Total 2

SPECIAL ORDERS OF THE DAY

Consent Calendar

Questions were asked on HB 159.

REPORTS OF STANDING COMMITTEES

Do Pass

FISH AND GAME (Staigmiller, Chairman): 1/25/79
HB 30, introduced bill, be amended as follows:

1. Title, lines 5 through 7.
Following: "TO"
Strike: "ESTABLISH A COMMERCIAL WHITEFISH ANGLING LICENSE AND TO MAKE NECESSARY PROVISION THEREFOR"
Insert: "EXCEPT WHITEFISH FROM THE PROHIBITION AGAINST SALE OF GAME FISH"

2. Title, line 7.
Following: "MCA"
Strike: "; AND PROVIDING AN EFFECTIVE DATE"

3. Page 2, lines 3 through 5.
Following: line 2, "(c)"
Strike: subsection (c) in its entirety
Insert: "the taking of whitefish."

4. Page 2, lines 6 through 11.
Strike: section 2 in its entirety
Renumber: all subsequent sections

5. Page 2, line 12.
Following: "report"
Insert: "of whitefish sales"

6. Page 2, line 13.
Following: line 12
Strike: "commercial whitefish"
Insert: "fishing"

7. Page 2, line 14.
Following: line 13
Strike: "commercial whitefish"
Following: "license"
Insert: "who catches whitefish for speculative purposes, for market, or for sale"

8. Page 2, line 14.
Following: "a"
Strike: "monthly"

9. Page 2, line 16.

Following: line 15
Strike: "number of whitefish taken,"
Following: "sold"
Strike: ","

10. Page 2, line 17.
Following: "sale."
Strike: "The monthly record may be inspected by authorized department employees at any reasonable time."

11. Page 2, lines 22 through 25.
Following: "instructions."
Strike: subsection (1) in its entirety

12. Page 3, line 1.
Following: page 2, line 25
Strike: "(2)"
Following: "Section"
Strike: "3"
Insert: "2"

14. Page 3, lines 5 and 6.
Following: line 4
Strike: section 5 in its entirety

And as amended, do pass. Report adopted.

HB 127, do pass. Report adopted.

STATE ADMINISTRATION (Brand, Chairman): 1/25/79
HB 208, introduced bill, be amended as follows:

1. Page 2, line 15.
Following: "subdivisions"
Insert: ", except when the manufacture of the signs is in violation of a collective bargaining contract"

And as amended, do pass. Report adopted.

HB 300, do pass. Report adopted.

Adverse Committee Reports

STATE ADMINISTRATION (Brand, Chairman): 1/25/79
HJR 9, do not pass.

On motion by Quilici, the Adverse Committee Report on HB 89 was adopted by the following vote: (81-10)

Ayes: Anderson, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Iverson, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Stobie, Teague, Thoft, Tropila, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 81

Noes: Burnett, Ellison, Ernst, Hand, Keedy, Kropp, Schultz, Uhde, Underdal, Wyrick.
Total 10

Excused: Bengtson, Kvaalen, Moore, South.
Total 3

Absent or not voting: Azzara, Holmes, Hurwitz, Jensen, Staigmiller.
Total 6

Dussault moved that the House adjourn until 3:30 p.m., January 26, 1979.

Motion carried.

House adjourned at 5:03 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

TWENTY-FIRST LEGISLATIVE DAY

Helena, Montana
January 26, 1979

House Chambers
Capitol Building

House convened at 3:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Seifert, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Eighteenth Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

Signed by the Speaker on adjournment, 1/25/79 - SB 7, SB 24, SB 25.

BILLS (Metcalf, Chairman): 1/26/79
Correctly printed - HB 30, HB 127, HB 132, HB 168, HB 184, HB 192, HB 194, HB 203, HB 208, HB 223, HB 225, HB 226, HB 229, HB 242, HB 250, HB 259, HB 270, HB 300, HB 308.
Considered correctly engrossed - HB 24, HB 57, HB 147, HB 215, HB 218, HB 224, HJR 8.
Correctly enrolled - HB 41.

Examined by the Sponsor and found to be correct, 1/26/79 - HB 41.

Will be signed by the Speaker on adjournment, 1/26/79 - HB 41.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Metcalf, Chairman): 1/26/79

Recommend that the following be employed by the House of Representatives for the 46th Session at the beginning of business January 29, 1979:

Sharon G. Olson ..... Page
Elizabeth A. Kleinert ..... Page
Teri Schuman ..... Page
Ann E. Deegan ..... Page
Jody L. Brown ..... Page
Sheila Jenkins ..... Page

At the beginning of business January 31, 1979:

Will Kussman/Mattice Kussman ..... Page
Julie A. Strange ..... Page

At the close of business, January 20, 1979, the following also be terminated:

Janine Habets ..... Page
Neil Hanson ..... Page
Maureen A. Thompson ..... Page
Teresa Wearley ..... Page
Tony Schoonen ..... Page
Johanna E. Kolar ..... Page

At the close of business, January 27, 1979, the following also be terminated:

Jackie L. Sinnema ..... Page
Rachelle M. Sanders ..... Page
Charles H. Dozier ..... Page
Lisa Anderson ..... Page
Kathy Hanger ..... Page
Barry L. Day ..... Page

Do Pass

BUSINESS AND INDUSTRY (Quilici, Chairman): 1/26/79
HB 325, introduced bill, be amended as follows:

1. Page 2, line 6.
Following: line 5
Strike: "such"
Insert: "it"

And as amended, do pass. Report adopted.

HJR 4, do pass. Report adopted.
SB 73, be concurred in. Report adopted.

JUDICIARY (Scully, Chairman): 1/26/79

HB 258, introduced bill, be amended as follows:

1. Page 1, line 14.
Following: "be"
Strike: "written"
Insert: "typed or printed"

2. Page 1, line 15.
Following: "as"
Strike: "typed or printed"
Insert: "written"

And as amended, do pass. Report adopted.

HB 311, do pass. Report adopted.
HB 322, do pass. Report adopted.
HB 332, introduced bill, be amended as follows:

1. Page 2, line 2.
Following: "and"
Strike: "reduced to writing"
Insert: "transcribed, including the time and date of recording,"

And as amended, do pass. Report adopted.

HB 338, do pass. Report adopted.

TAXATION (Huennekens, Chairman): 1/25/79
HB 266, introduced bill, be amended as follows:

1. Page 2.
Following: line 15
Insert: "Section 2. Effective date. This act is effective on January 1, 1980."

And as amended, do pass. Report adopted.

Adverse Committee Reports

BUSINESS AND INDUSTRY (Quilici, Chairman): 1/26/79
HB 263, do not pass.

On motion by Day, the Adverse Committee Report on HB 99 was adopted by the following vote: (87-6)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Brand, Conroy, Cooney, Curtiss, Daily, Day, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Yardley, Mr. Speaker.
Total 87

Noes: Bertelsen, Dassinger, Kropp, Staigmiller, Wood, Wyrick.
Total 6

Excused: Seifert.
Total 1

Absent or not voting: Burnett, Donaldson, Ellison, Marks, K. Robbins, Waldron.
Total 6

On motion by Quilici, the Adverse Committee Report on HB 180 was adopted by the following vote: (87-0)

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Yardley, Mr. Speaker.
Total 87

Noes: None.
Total 0

Excused: Seifert.
Total 1

Absent or not voting: Azzara, Bardanouve, Ellerd, Gould, Harper, Kessler, Manuel, Moore, Scully, Shelden, Waldron, Wyrick.
Total 12

Kanduch, Frates, Rosenthal, Vincent, K. Robbins, Hirsch, Kessler, Johnson, McBride, Harper objected that HJR 9 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

Consent Calendar

Bills unanimously passed in committee and unanimously placed on Consent Calendar:

BUSINESS AND INDUSTRY (Quilici, Chairman): 1/26/79

HB 334, do pass. Report adopted.

Scully, Conroy, Seifert objected that SB 4 was reported out of committee with a unanimous Consent Calendar recommendation and requested that the bill be referred to Second Reading.

Dussault moved that the rules be suspended to allow debate on two Standing Committee Reports by the Committee on Rules this day. Motion carried. (90-0)

RULES (Dussault, Chairman): 1/26/79

Respectfully report that Joint Rule 6-34, page 45, in line 3 and line 7 of paragraph 3 be amended as follows:

Strike: "sixtieth"
Insert: "seventieth"

Report adopted. (89-3)

Respectfully report that a new chapter be added to the House Rules which reads as follows:

CHAPTER 2
Meetings, Quorums and Attendance

H 2-2. Lobbying on the floor of the House of Representatives is prohibited during the session and within two hours prior to the commencement of a session and within one-half hour after recess or adjournment.

Report adopted. (66-27)

MESSAGES FROM THE OTHER HOUSE

Senate Bills passed on Third Reading Consent Calendar and transmitted to the House for concurrence: 1/25/79

Senate Bill No. 39, introduced by Hazelbaker, Goodover

Senate Bill No. 89, introduced by Hazelbaker

Senate Bills passed as amended and transmitted to the House for concurrence: 1/25/79

Senate Bill No. 55, introduced by Hazelbaker, Goodover

Senate Bill No. 71, introduced by Jergeson, et al

Senate Bill No. 77, introduced by Goodover, et al

Senate Bill No. 126, introduced by Blaylock

Senate Bill No. 137, introduced by S. Brown

MOTIONS

Nordtvedt moved that HB 135, presently on Second Reading, be passed for consideration until the Thirty-eighth Legislative Day for the purposes of attaching a fiscal note. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 409, introduced by Holmes, Dussault, Metcalf. Referred to Committee on Human Services.

HB 410, introduced by Thoft, Johnston, Burnett, Marks, Day, Magone, Ernst, Ellison, Donaldson, Lory, Ellis, Daily, Curtiss, Stobie, Nathe, Iverson, Dozier, Jensen, Underdal, Schultz, Kropp, Wyrick, K. Robbins, H. Robbins, Oberg, Sivertsen, Staigmiller, Shelden, Azzara, Eudaily, Baeth, Manning, Menahan. Referred to Committee on Appropriations.

HB 411, introduced by Lund. Referred to Committee on Taxation.

HB 412, introduced by Hurwitz, Manuel. Referred to Committee on Business and Industry.

HB 413, introduced by Fabrega, Tropila, Gilligan, Rosenthal, Moore, Meyer, Reichert, Pistoria, Hemstad, O'Connell. Referred to Committee on Judiciary.

HB 414, introduced by Keedy, Kemmis, Huennekens, Vincent, Anderson, Harper, Bennett, Gesek, Oberg, Johnston, Sivertsen, Metcalf, Seifert, Fabrega, Reichert. Referred to Committee on Human Services.

HB 415, introduced by Bardanouve. Referred to Committee on Appropriations.

HB 416, introduced by Bardanouve. Referred to Committee on Appropriations.

HB 417, introduced by Bardanouve. Referred to Committee on Appropriations.

HB 418, introduced by Kemmis, Palmer, Gould, Reichert, Fabrega. Referred to Committee on Human Services.

HB 419, introduced by Donaldson. Referred to Committee on State Administration.

HB 420, introduced by Hirsch, (By Request of the Department of Fish and Game). Referred to Committee on Fish and Game.

HB 421, introduced by Underdal. Referred to Committee on State Administration.

HB 422, introduced by Lory, Porter, Magone, Scully. Referred to Committee on Judiciary.

The following Senate bills were introduced, read first time and referred to committees:

SB 39, introduced by Hazelbaker, Goodover, (By Request of the Code Commissioner). Referred to Committee on Business and Industry.

SB 55, introduced by Hazelbaker, Goodover, (By Request of the Department of Business Regulation). Referred to Committee on Business and Industry.

SB 71, introduced by Jergeson, Etchart, B. Brown, Watt. Referred to Committee on Taxation.

SB 77, introduced by Goodover, Hazelbaker, Roskie, Etchart, Galt, O'Hara, Aklestad, Turnage, E. Smith, Regan, Rasmussen, Blaylock, S. Brown, Manley, Boylan, Stimatz, Lowe, Nelson. Referred to Committee on Highways and Transportation.

SB 89, introduced by Hazelbaker, (By Request of the Code Commissioner). Referred to Committee on Business and Industry.

SB 126, introduced by Blaylock, (By Request of the Code Commissioner). Referred to Committee on Education and Cultural Resources.

SB 137, introduced by S. Brown, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Judiciary.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Lien in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 23 do pass. (83-11)

That HB 124 do pass. (70-23)

That HB 169 do pass. (85-5)

That HB 178 do pass. (86-6)

That SB 56 be concurred in. (91-0)

Scully moved that SB 63 be moved to the bottom of the board. Motion carried.

That SB 78 be concurred in. (83-5)

That House Committee on Judiciary Report on Senate Bill No. 4, dated 1/24/79, be amended as follows: (89-4)

1. Amendments 6 and 7.
Strike: amendments 6 and 7 in their entirety

And as amended, be concurred in. (96-0)

That SB 63 be concurred in. (94-0)

That the Committee rise and report. (Lien, Chairman). Report adopted. (90-1)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 80 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Uhde, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 84

Noes: Johnston, Moore, Smith, Stobie, Tropila, Underdal.
Total 6

Excused: Seifert.

Total 1

Absent or not voting: Azzara, Burnett, Dassinger, Hurwitz, Jensen, Marks, K. Robbins, Scully, Vincent.
Total 9

House Bill No. 119 failed to pass by the following vote:

Ayes: Anderson, Bennett, Bertelsen, Burnett, Curtiss, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hayne, Hemstad, Hurwitz, Iverson, Jensen, Keyser, Kropp, Kvaalen, Lory, Lund, Marks, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Porter, Ramirez, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, Spilker, Stobie, Teague, Thoft, Tropila, Underdal, Vinger, Wood, Wyrick.
Total 48

Noes: Azzara, Baeth, Bardanouve, Bengtson, Brand, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnson, Johnston, Kanduch, Keedy, Kemmis, Lien, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Oberg, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Scully, Shelden, South, Staigmiller, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 50

Paired: Hurwitz, Jensen, Porter, Seifert, Ayes; Dussault, Huennekens, Scully, Vincent, Noes.

Excused: None.
Total 0

Absent or not voting: Conroy, Kessler.
Total 2

House Bill No. 232 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Pistoria, Vinger.
Total 2

Excused: Seifert.
Total 1

Absent or not voting: Bardanouve, Donaldson, Hurwitz, Jensen, Porter.
Total 5

Consent Calendar

House Bill No. 159 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Day, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Dassinger.
Total 1

Excused: Seifert.
Total 1

Absent or not voting: Azzara, Donaldson, Ellerd, Hand, Hurwitz, Jensen, Porter, Waldron.
Total 8

REPORTS OF STANDING COMMITTEES

Do Pass

EDUCATION AND CULTURAL RESOURCES (Gilligan, Chairman): 1/26/79

HB 162, do pass. Report adopted.

Adverse Committee Reports

EDUCATION AND CULTURAL RESOURCES (Gilligan, Chairman): 1/26/79

HB 140, do not pass.
HB 142, do not pass.

Jensen, O'Connell, Hand, Feda, Stobie, Nathe, Anderson, Harrington, Harper, Pistoria objected that HB 142 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

SPECIAL ORDERS OF THE DAY

Consent Calendar

Questions were asked on SB 33, SB 41.

Committee announcements were made at this time.

MOTIONS

Ramirez moved that the Clerk be requested to include on the daily calendar sheet the bills that are up for a vote in adopting Adverse Committee Reports. Discussion followed. Motion withdrawn.

Dussault moved that the House adjourn until 9:00 a.m., January 27, 1979.

Motion carried.

House adjourned at 4:53 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

TWENTY-SECOND LEGISLATIVE DAY

Helena, Montana
January 27, 1979

House Chambers
Capitol Building

House convened at 9:04 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Burnett, Fabrega, Gilligan, Jensen, Johnson, Nordtvedt, Ramirez, Seifert, excused; Waldron, absent. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 1/27/79
Considered correctly engrossed - HB 23, HB 124, HB 169, HB 178.
Correctly printed - HB 104, HB 142, HB 258, HB 266, HB 311, HB 322, HB 325, HB 332, HB 334, HB 338, HJR 4, HJR 9.

Signed by the Speaker on adjournment, 1/26/79 - HB 41.

Do Pass

AGRICULTURE, LIVESTOCK AND IRRIGATION (Day, Chairman): 1/26/79

HB 251, introduced bill, be amended as follows:

1. Page 2, line 2.
Following: "~~$100~~"
Strike: "$500"
Insert: "$100"
Following: "~~$250~~"
Strike: "$1000"
Insert: "$250"

And as amended, do pass. Report adopted.

Adverse Committee Reports

AGRICULTURE, LIVESTOCK AND IRRIGATION (Day, Chairman): 1/26/79

HB 144, do not pass.
HB 152, do not pass.

HUMAN SERVICES (Holmes, Chairman): 1/26/79
HB 201, do not pass.
HB 206, do not pass.

Pistoria, Keedy, Reichert, Gilligan, Uhde, O'Connell, Tropila, Manning, Teague, Kemmis objected that HB 140 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

Johnson, Dassinger, H. Robbins, Cooney, Dozier, Manuel, Uhde, Frates, McBride, Brand objected that HB 152 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

Consent Calendar

Bill unanimously passed in committee and unanimously placed on Consent Calendar:

HUMAN SERVICES (Holmes, Chairman): 1/26/79

SB 45, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

Senate Bills passed as amended and transmitted to the House for concurrence: 1/26/79

Senate Bill No. 52, introduced by Graham, Hazelbaker, Kolstad, Healy

Senate Bill No. 67, introduced by Manley, Graham, et al

Senate Bill No. 103, introduced by S. Brown, Roskie

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 24 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: None.
Total 0

Excused: Burnett, Fabrega, Gilligan, Jensen, Johnson, Nordtvedt, Ramirez, Seifert.
Total 8

Absent or not voting: Marks, Waldron.
Total 2

House Bill No. 57 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Burnett, Fabrega, Gilligan, Jensen, Johnson, Nordtvedt, Ramirez, Seifert.

Total 8

Absent or not voting: Waldron.
Total 1

House Bill No. 147 was passed by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Brand, Curtiss, Daily, Dassinger, Day, Dussault, Ellis, Eudaily, Fagg, Frates, Gesek, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Iverson, Johnston, Kanduch, Kessler, Lory, Lund, McBride, Magone, Manuel, Menahan, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Scully, Shelden, South, Thoft, Tropila, Vincent, Williams, Yardley, Mr. Speaker.
Total 53

Noes: Azzara, Bardanouve, Conroy, Donaldson, Dozier, Ellerd, Ellison, Ernst, Feda, Holmes, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Manning, Marks, Metcalf, Meyer, Moore, Nathe, Roth, Sales, Schultz, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Uhde, Underdal, Vinger, Wood, Wyrick.
Total 36

Excused: Burnett, Fabrega, Gilligan, Hurwitz, Jensen, Johnson, Nordtvedt, Ramirez, Seifert.
Total 9

Absent or not voting: Cooney, Waldron.
Total 2

House Bill No. 215 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Burnett, Fabrega, Gilligan, Jensen, Johnson, Nordtvedt, Ramirez, Seifert.
Total 8

Absent or not voting: Waldron.
Total 1

House Bill No. 218 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser,

Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 86

Noes: Hayne, Stobie, Underdal.
Total 3

Excused: Burnett, Fabrega, Gilligan, Jensen, Johnson, Nordtvedt, Ramirez, Seifert.
Total 8

Absent or not voting: Day, Gould, Waldron.
Total 3

House Bill No. 224 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: None.
Total 0

Excused: Burnett, Fabrega, Gilligan, Jensen, Johnson, Nordtvedt, Ramirez, Seifert.
Total 8

Absent or not voting: Reichert, Waldron.
Total 2

House Joint Resolution No. 8 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Shelden, Sivertsen, South, Teague, Tropila, Uhde, Vincent, Vinger, Williams, Yardley, Mr. Speaker.
Total 72

Noes: Bennett, Conroy, Curtiss, Ellerd, Hayne, Lund, Marks, Moore, Nathe, Porter, Sales, Smith, Spilker, Staigmiller, Stobie, Thoft, Underdal, Wood, Wyrick.
Total 19

Excused: Burnett, Fabrega, Gilligan, Jensen, Johnson, Nordtvedt, Ramirez, Seifert.
Total 8

Absent or not voting: Waldron.
Total 1

Senate Bill No. 4 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: None.
Total 0

Excused: Burnett, Fabrega, Gilligan, Jensen, Johnson, Nordtvedt, Ramirez, Seifert.
Total 8

Absent or not voting: Dussault, Waldron.
Total 2

Senate Bill No. 56 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: None.
Total 0

Excused: Burnett, Fabrega, Gilligan, Jensen, Johnson, Nordtvedt, Ramirez, Seifert.
Total 8

Absent or not voting: Azzara, Waldron.
Total 2

Senate Bill No. 63 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg,

Feda, Frates, Gesek, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Burnett, Fabrega, Gilligan, Jensen, Johnson, Nordtvedt, Ramirez, Seifert.
Total 8

Absent or not voting: Waldron.
Total 1

Senate Bill No. 78 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: None.
Total 0

Excused: Burnett, Fabrega, Gilligan, Jensen, Johnson, Nordtvedt, Ramirez, Seifert.
Total 8

Absent or not voting: Azzara, Pavlovich, Waldron.
Total 3

MOTIONS

Tropila moved that HB 259, presently on Second Reading, be passed for the day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 423, introduced by Donaldson. Referred to Committee on Local Government.
HB 424, introduced by Yardley. Referred to Committee on Judiciary.

HB 425, introduced by Yardley. Referred to Committee on Appropriations.
HB 426, introduced by Moore, Roskie, Scully, Wood. Referred to Committee on Judiciary.
HB 427, introduced by Kemmis, Watt, Metcalf, Reichert, Day, Gould, Harper, Waldron, Nordtvedt, Shelden, Bengtson, Conover, Yardley. Referred to Committee on Taxation.
HB 428, introduced by Moore, Stephens, Marks, South, Gilligan. Referred to Committee on Education and Cultural Resources.
HB 429, introduced by Sivertsen, Meyer, Johnston, Marks, Conroy, Ellison, Roth, Hurwitz, Iverson, Burnett, Smith, Lien, Staigmiller, Donaldson, Thoft. Referred to Committee on Taxation.
HB 430, introduced by Moore, Keedy. Referred to Committee on Taxation.
HB 431, introduced by Day, Bengtson, Ramirez, Sivertsen, Scully. Referred to Committee on Natural Resources.
HB 432, introduced by Menahan. Referred to Committee on Judiciary.
HB 433, introduced by Harrington, Cooney, Kanduch, Quilici. Referred to Committee on Taxation.
HB 434, introduced by Lory. Referred to Committee on Natural Resources.
HB 435, introduced by Tropila, Fabrega, Gilligan, Daily, Harrington, Pavlovich, Johnston, Menahan, Bengtson, Staigmiller, Day. Referred to Committee on Business and Industry.
HB 436, introduced by Ramirez, Sivertsen, Marks, Conroy, Staigmiller, Seifert, Porter, Bardanouve, Huennekens, Hand, Lund, Vinger, Hemstad, Porter, Meyer, Thoft, Iverson, Keyser, Nathe, Hurwitz, Roth, Uhde, Burnett, Feda, Underdal, Smith, Fagg. Referred to Committee on State Administration.
HB 437, introduced by South. Referred to Select Committee on Employee Compensation.
HB 438, introduced by Ramirez, Tropila, Marks, Keyser, Sivertsen, Scully, Schultz, Uhde, (By Request of the Administrative Code Committee). Referred to Committee on Judiciary.
HB 439, introduced by H. Robbins, Oberg, Reichert, Gilligan. Referred to Committee on Local Government.
HB 440, introduced by Dassinger, Conroy, Smith. Referred to Committee on Taxation.
HB 441, introduced by Burnett, Johnson, Thoft, Johnston, Underdal. Referred to Committee on Business and Industry.
HB 442, introduced by Meyer, Hirsch, South, Dussault, Fabrega. Referred to Committee on State Administration.
HJR 16, introduced by Gerke, Dussault, Kanduch, Magone, Baeth, Staigmiller, O'Connell, Brand, Johnston, Stobie, Curtiss, Hurwitz. Referred to Committee on Business and Industry.

The following Senate bills were introduced, read first time and referred to committees:

SB 52, introduced by Graham, Hazelbaker, Kolstad, Healy, (By Request of the Department of Highways). Referred to Committee on Highways and Transportation.
SB 67, introduced by Manley, Graham, Boylan, Conover, Galt. Referred to Committee on Taxation.
SB 103, introduced by S. Brown, Roskie, (By Request of the Department of State Lands). Referred to Committee on Natural Resources.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Ellis in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Kanduch, Hurwitz excused at the time. Waldron, Fabrega present.

That HB 30, second reading copy, be amended as follows: (79-6)

1. Page 2, line 6.
Following: "~~license.~~"
Strike: "THE TAKING OF WHITEFISH"
Insert: "the catching of whitefish by the holder of a valid fishing license fishing with hook and line or rod in specified waters designated by rules and regulations of the department"

And as amended, do pass. (72-15)

That HB 127 do pass. Motion failed. (34-55)

That HB 127 do not pass. (53-35)

Ramirez present at this time.

That HB 132 do pass. (87-3)

Nordtvedt present at this time.

Huennekens moved that HB 192 bė placed on the bottom of the board. Motion carried.

That HB 203 do pass. (83-2)

Brand moved that HB 208 pass consideration for the day. Motion carried.

That HB 223 do pass. (74-13)

That HB 225 do pass. (77-8)

That HB 226 do pass. (58-30)

That HB 229 do pass. (79-8)

That HB 242 do pass. (88-0)

Vincent moved that HB 250 pass consideration for the day. Motion carried.

That HB 270 do pass. (91-0)

That HB 300 do pass. (90-0)

Hand excused at this time.

That HB 308 do pass. (86-2)

That SB 73 be concurred in. (80-6)

That HB 192, third reading copy, be amended as follows: (79-0)

1. Page 9, lines 3 and 4.
Following: "LAGOON;"
Strike: "subjecting sewage to natural oxidation and drying in a lagoon;"

And as amended, do pass. (84-0)

That the Committee rise and report. (Ellis, Chairman). Report adopted. (85-0)

MOTIONS

Dussault moved that the rules be temporarily suspended to allow introduction of a bill by Representative Uhde. Motion carried. (86-0)

Roth moved that the House reconsider its action taken on Third Reading of the previous Legislative Day on HB 119. This motion was followed by considerable discussion including discussion on the merits of the bill. Motion carried. (53-43)

Scully moved that HB 119 be taken from Third Reading and placed on Second Reading for the purpose of amendment. Motion carried. (78-1)

REPORTS OF STANDING COMMITTEES

Do Pass

HUMAN SERVICES (Holmes, Chairman): 1/26/79
HB 34, introduced bill, be amended as follows:

1. Title, line 8.
Following: "TO"
Strike: "5"
Insert: "7"

2. Title, line 9.
Following: "THE"
Strike: "REQUIREMENTS"
Insert: "REQUIREMENT"

3. Title, line 10.
Following: "OF"
Strike: "POSTED NOTICE AND"
Insert: "A"
Following: "MCA"
Insert: "; AND PROVIDING AN EFFECTIVE DATE"

4. Page 2, lines 1 through 4.
Following: "notice"
Strike: remainder of line 1 through "newspaper" on line 4
Insert: "must be published for 7 consecutive days in that newspaper nearest to the place where the proposed district is to be created. If the nearest newspaper is a weekly newspaper, the notice must be published for two consecutive weeks and posted in three public places within the boundaries of the proposed district"

5. Page 2.
Following: line 11
Insert: "Section 2. Effective date. This act is effective upon passage and approval."

And as amended, do pass. Report adopted.

Adverse Committee Reports

NATURAL RESOURCES (Shelden, Chairman): 1/26/79
HB 222, do not pass.

Dussault moved that the House adjourn until 2:30 p.m., January 29, 1979.

Motion carried.

House adjourned at 12:15 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

TWENTY-THIRD LEGISLATIVE DAY

Helena, Montana
January 29, 1979

House Chambers
Capitol Building

House convened at 2:29 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Fagg, Kanduch, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Nineteenth Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

Do Pass

BUSINESS AND INDUSTRY (Quilici, Chairman): 1/29/79
HB 227, introduced bill, be amended as follows:

1. Page 3, line 9.
Following: line 8
Strike: "A"
Insert: "An annual"

2. Page 3, line 13.
Following: "license"
Insert: "referred to in subsection (7)"

And as amended, do pass. Report adopted.

HB 176, do pass. Report adopted.

Adverse Committee Reports

On motion by Day, the Adverse Committee Report on HB 144 was adopted by the following vote: (71-19)

Ayes: Anderson, Baeth, Bengtson, Bennett, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellerd, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kemmis, Kessler, Lien, Lory, McBride, Magone, Manning, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Stobie, Thoft, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 71

Noes: Burnett, Donaldson, Ellison, Keyser, Kropp, Kvaalen, Lund, Manuel, Nathe, Ramirez, Roth, Scully, Seifert, Teague, Tropila, Underdal, Vinger, Wood, Wyrick.
Total 19

Excused: Fagg, Kanduch.
Total 2

Absent or not voting: Azzara, Bardanouve, Bertelsen, Ellis, Hurwitz, Keedy, Oberg, Staigmiller.
Total 8

On motion by Holmes, the Adverse Committee Report on HB 201 was adopted by the following vote: (82-13)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnston, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Thoft, Tropila, Underdal, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 82

Noes: Brand, Cooney, Dussault, Harper, Huennekens, Johnson, Kemmis, McBride, Metcalf, South, Teague, Uhde, Vincent.
Total 13

Excused: Fagg, Kanduch.
Total 2

Absent or not voting: Bertelsen, Burnett, Ellis.
Total 3

On motion by Holmes, the Adverse Committee Report on HB 206 was adopted by the following vote: (78-19)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hurwitz, Iverson, Jensen, Johnston, Keyser, Kropp, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 78

Noes: Dassinger, Dussault, Frates, Hirsch, Holmes, Huennekens, Johnson, Keedy, Kemmis, Kessler, Kvaalen, McBride, Metcalf, Oberg, Reichert, South, Teague, Vincent, Waldron.
Total 19

Excused: Fagg, Kanduch.
Total 2

Absent or not voting: Ellis.
Total 1

On motion by Shelden, the Adverse Committee Report on HB 222 was adopted by the following vote: (70-25)

Ayes: Anderson, Bengtson, Bennett, Bertelsen, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hurwitz, Iverson, Jensen, Johnston, Keedy, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Manning, Manuel, Menahan, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Schultz, Sivertsen, Smith, South,

Spilker, Staigmiller, Stobie, Thoft, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 70

Noes: Azzara, Baeth, Bardanouve, Brand, Burnett, Cooney, Fabrega, Feda, Frates, Harper, Hirsch, Holmes, Huennekens, Johnson, Kemmis, Kessler, Magone, Marks, Metcalf, K. Robbins, Scully, Seifert, Teague, Tropila, Waldron.
Total 25

Excused: Fagg, Kanduch.
Total 2

Absent or not voting: Ellis, Sales, Shelden.
Total 3

On motion by Quilici, the Adverse Committee Report on HB 263 was adopted by the following vote: (70-25)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Eudaily, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lory, Lund, McBride, Magone, Manning, Marks, Menahan, Nathe, Nordtvedt, Oberg, Pistoria, Porter, Ramirez, Reichert, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Uhde, Vinger, Williams, Wood, Wyrick, Mr. Speaker.
Total 70

Noes: Bengtson, Bertelsen, Brand, Burnett, Daily, Ernst, Fabrega, Gould, Huennekens, Johnston, Keyser, Lien, Manuel, Metcalf, Meyer, Moore, Pavlovich, Quilici, K. Robbins, Teague, Tropila, Underdal, Vincent, Waldron, Yardley.
Total 25

Excused: Fagg, Kanduch.
Total 2

Absent or not voting: O'Connell, H. Robbins, Shelden.
Total 3

MESSAGES FROM THE OTHER HOUSE

Senate Bills passed and transmitted to the House for concurrence: 1/27/79

Senate Bill No. 28, introduced by Story

Senate Bill No. 112, introduced by Graham

Senate Bill No. 118, introduced by Nelson

Senate Bill No. 119, introduced by Goodover

Senate Bill No. 120, introduced by Van Valkenburg

Senate Bill No. 130, introduced by Blaylock

Senate Bill No. 131, introduced by Blaylock

MOTIONS

Quilici moved that HB 353 be rereferred from the Committee on Local Government to the Committee on Business and Industry. Motion carried.

Jensen moved that HB 142 be taken from Second Reading this day and passed until the Twenty-fourth Legislative Day for the purpose of amendment. Motion carried.

Huennekens moved that HB 372 be rereferred from the Committee on Natural Resources to the Committee on Taxation. Motion carried.

Day moved that HB 406 be rereferred from the Committee on Natural Resources to the Committee on Agriculture, Livestock and Irrigation. Motion carried.

Vincent moved that the Journal for the Twenty-second Day be corrected and reflect Johnson as excused. Motion carried.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 1/29/79

Considered correctly engrossed - HB 132, HB 203, HB 223, HB 225, HB 226, HB 229, HB 242, HB 270, HB 300, HB 308.

Correctly engrossed - HB 30, HB 192.

Correctly printed - HB 34, HB 140, HB 152, HB 162, HB 251.

Delivered to the Governor for his approval at 1:05 p.m., 1/29/79 - HB 41.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 443, introduced by Feda, Brand, Donaldson, Nathe, Ellerd, Pistoria. Referred to Committee on Judiciary.

HB 444, introduced by Lien, Conroy, Marks, Nathe, Dover, Galt, Manley, Hand, Johnston. Referred to Committee on Natural Resources.

HB 445, introduced by Brand, Marks, Menahan, Kanduch, Manning, Magone, Vincent, Feda, Vinger, Ernst. Referred to Committee on State Administration.

HB 446, introduced by Dussault, South. Referred to Committee on Education and Cultural Resources.

HB 447, introduced by Gesek, Waldron, Nordtvedt. Referred to Committee on Judiciary.

HB 448, introduced by Cooney, Harrington, Daily, Pavlovich, Stobie, McBride, Menahan, Quilici, Uhde, Feda, Keyser, Dozier, Vinger. Referred to Committee on Business and Industry.

HB 449, introduced by Uhde, Harper, Cooney, Fagg. Referred to Committee on Taxation.

HB 450, introduced by Yardley, Moore, Reichert, Fasbender, Kessler. Referred to Committee on Education and Cultural Resources.

HB 451, introduced by Keedy, Gesek, Uhde, Anderson, Curtiss, Bennett. Referred to Committee on Human Services.

HB 452, introduced by Conroy, Scully, Quilici, Ramirez, Bengtson, Johnston, Pistoria, Kropp, Kvaalen, Manning, Williams, Donaldson, Seifert, Hurwitz, Staigmiller, Sivertsen, Schultz, Thoft, Curtiss, Tropila, Fagg, Gould, Marks, Roth, Sales, Fabrega, Keyser, Moore, O'Connell, Hemstad, Kanduch, Nathe, Burnett, Magone, Daily, Ellerd, Lien, Smith, H. Robbins, Teague, Rosenthal, Dozier, Wyrick, Bennett, Pavlovich, Menahan, Hand, Ernst, Iverson, Spilker, Eudaily, Wood, Ellison, Manuel, Underdal, Meyer, Baeth, Vinger, Ellis, Nordtvedt, Porter, Gerke, Lory, Hayne, Feda, Stobie, Lund, Anderson, K.

Robbins, Gilligan, Dassinger, Gesek, Yardley. Referred to Committee on Natural Resources.

HB 453, introduced by South. Referred to Committee on Education and Cultural Resources.

HB 454, introduced by Spilker, (By Request of the Board of Cosmetologists). Referred to Committee on Business and Industry.

HB 455, introduced by Underdal, Smith, Conroy, Roth, Stobie, Spilker, Lien, Ernst, Kropp, Hand, Hayne, Jensen, Staigmiller, Ellison. Referred to Committee on Judiciary.

HB 456, introduced by Eudaily, Scully. Referred to Committee on Judiciary.

HB 457, introduced by Harper, Gerke, Donaldson, Meyer. Referred to Committee on Taxation.

HB 458, introduced by Keyser, Sivertsen, Ramirez, Marks, Pavlovich, Anderson, Cooney, Menahan, Quilici, Daily. Referred to Committee on Education and Cultural Resources.

HB 459, introduced by Curtiss, Iverson, Lien, Conroy, Porter, Dassinger. Referred to Committee on Education and Cultural Resources.

HB 460, introduced by Thoft, Donaldson, Bengtson, Iverson, Anderson. Referred to Committee on Education and Cultural Resources.

HB 461, introduced by Bertelsen, (By Request of the Department of Revenue). Referred to Committee on Taxation.

HJR 17, introduced by Quilici, Gerke, Kolstad, Scully, Daily, Moore, Ramirez, Dussault, Fabrega, Bengtson, Harrington, Thiessen, Meyer, E. Smith, Menahan. Referred to Committee on Business and Industry.

HJR 18, introduced by Waldron, Norman, Ellis, Eudaily, Gould, Dussault, Kemmis, Azzara, Palmer, Van Valkenburg. Referred to Committee on Natural Resources.

The following Senate bills were introduced, read first time and referred to committees:

SB 28, introduced by Story, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on State Administration.

SB 112, introduced by Graham, (By Request of the Code Commissioner). Referred to Committee on State Administration.

SB 118, introduced by Nelson, (By Request of the Code Commissioner). Referred to Committee on Natural Resources.

SB 119, introduced by Goodover, (By Request of the Code Commissioner). Referred to Committee on State Administration.

SB 120, introduced by Van Valkenburg, (By Request of the Code Commissioner). Referred to Committee on Judiciary.

SB 130, introduced by Blaylock, (By Request of the Code Commissioner). Referred to Committee on State Administration.

SB 131, introduced by Blaylock, (By Request of the Code Commissioner). Referred to Committee on State Administration.

REPORTS OF STANDING COMMITTEES

RULES (Dussault, Chairman): 1/29/79

Respectfully report as follows:

"Reference to the vote or comment of any individual member of the House made in committee may not be allowed on the House floor.

In accordance with Mason's 111.2, reference to a vote of the other body will not be allowed on the floor, but reference to a vote of a committee of the House will be allowed.

'111.2 It is irregular and unparlimentary for a member in one house of a legislature to quote or refer to the vote by which a measure passed the other house.'"

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Conroy in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Sivertsen moved that HB 104 pass consideration for the day. Motion carried. (64-29)

That HB 119, third reading copy, be amended as follows: (93-0)

1. Page 1, line 23.
Following: "BILLS"
Strike: "INTRODUCED"
Insert: "drafted by the legislative council"

2. Page 1, line 24.
Following: "are"
Insert: "to be"

3. Page 2, lines 15 through 16.
Following: "agency"
Strike: remainder of lines 15 through 16 in their entirety

4. Page 2, line 17.
Following: line 16
Strike: "the draft is given to the legislative council for review"

5. Page 2, line 18.
Following: "agency"
Insert: "shall be printed for and"

6. Page 2, line 20.
Following: "statement."
Insert: "A statement shall not be construed to be legislative intent unless the statement is acted on by the legislature."

And as amended, do pass. (84-13)

That HB 208, second reading copy, be amended as follows: (84-10)

1. Page 2, line 4.
Following: "up to"
Insert: "the aggregate sum of"

2. Page 2, line 4.
Following: "25,000"
Insert: "; provided, however, said construction work is not covered by a collective bargaining agreement"

That HB 208, second reading copy, be further amended as follows: (95-0)

1. Page 3, line 9.
Following: line 8
Strike: "accounting entity"
Insert: "fund account"

2. Page 3, line 10.
Following: "institution."
Insert: "At the end of each fiscal year, not less than 75% of the unobligated balance in the revolving fund account shall be transferred to the general fund."

3. Page 3.
Following: line 10
Insert: "SECTION 3. THERE IS A NEW MCA SECTION THAT READS:

Supervision of industries program. The industries program shall be supervised by the director of the department of institutions or his designated representative, provided the administration of the industries program is separate from the administration of any institution where the program may be located."

Moore moved that HB 208 be placed at the bottom of the board. Motion carried.

That HB 250 do pass. (92-1)

That HB 258 do pass. (91-1)

That HB 259, second reading copy, be amended as follows: (86-0)

1. Title, line 7.
Following: "OFFICE"
Insert: "OR FROM ANOTHER AGENCY"

And as amended, do pass. (91-0)

That HB 266, second reading copy, be amended as follows: (89-0)

1. Title, line 7.
Following: "MCA"
Insert: "; AND PROVIDING AN EFFECTIVE DATE"

And as amended, do pass. (92-0)

That HB 311 do pass. (95-2)

That HB 322 do pass. (77-16)

That HB 325 do pass. (93-1)

That HB 332 do pass. (51-45)

That HB 338 do pass. (72-19)

That HJR 4 do pass. (86-4)

That HJR 9 do not pass. (58-40)

House stood at ease at 5:35 p.m.

House reconvened at 5:37 p.m.

That Committee of the Whole Amendments to House Bill No. 208, dated 1/29/79, be amended as follows: (87-1)

1. Amendments 1 and 2.

Strike: amendments 1 and 2 in their entirety

That HB 208, second reading copy, be further amended as follows:

2. Page 2, lines 3 and 4.
Following: "institutions"
Strike: ", and construction projects up to $25,000"
Insert: "(6) provide for construction projects up to the aggregate sum of $25,000 per project, by residents of institutions; provided, however, said construction work is not covered by a collective bargaining agreement;"
Renumber: all subsequent subsections

And as amended, do pass. (92-2)

Scully moved that HJR 9 be segregated from the Committee of the Whole Report. Motion carried. (69-24)

Tropila moved that HB 332 be segregated from the Committee of the Whole Report. Motion failed. (43-52)

That the Committee rise and report. (Conroy, Chairman). And as amended, report adopted. (79-15)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 23 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Hayne, Keyser, Moore, Smith, Stobie, Uhde, Vinger.
Total 7

Excused: Fagg, Kanduch.
Total 2

Absent or not voting: Dassinger.
Total 1

House Bill No. 124 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz,

Scully, Seifert, Shelden, South, Staigmiller, Stobie, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 79

Noes: Burnett, Day, Ellerd, Ellison, Fabrega, Feda, Iverson, Kvaalen, Meyer, Moore, Nathe, Porter, Ramirez, Sivertsen, Smith, Spilker, Thoft, Underdal, Vinger.
Total 19

Excused: Fagg, Kanduch.
Total 2

Absent or not voting: None.
Total 0

House Bill No. 169 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: Nathe, Vinger.
Total 2

Excused: Fagg, Kanduch.
Total 2

Absent or not voting: Smith.
Total 1

House Bill No. 178 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 86

Noes: Curtiss, Day, Feda, Hayne, Nathe, Roth, Smith, Stobie, Underdal, Vinger.
Total 10

Excused: Fagg, Kanduch.
Total 2

Absent or not voting: Ellison, Yardley.

Total 2

Consent Calendar

Senate Bill No. 33 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: Nathe, Smith, Stobie.
Total 3

Excused: Fagg, Kanduch.
Total 2

Absent or not voting: Hayne.
Total 1

Senate Bill No. 41 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: Nathe, Smith, Stobie.
Total 3

Excused: Fagg, Kanduch.
Total 2

Absent or not voting: None.
Total 0

REPORTS OF STANDING COMMITTEES

Do Pass

EDUCATION AND CULTURAL RESOURCES (Gilligan, Chairman):
1/26/79

HB 175, introduced bill, be amended as follows:

1. Page 3, line 18 and line 19.
Following: "September"

Strike: "1, or the first official pupil instruction day of the district,"
Insert: "10"

2. Page 5, line 25.
Following: "September"
Strike: "1,"
Insert: "10"

3. Page 6, line 1.
Strike: line 1 in its entirety

4. Page 6, line 22 and line 23.
Following: "September"
Strike: "1, or the first official pupil instruction day of the district,"
Insert: "10"

5. Page 7, line 5 and line 6.
Following: "September"
Strike: "1, or the first official pupil instruction day of the district,"
Insert: "10"

6. Page 9, line 1.
Following: "September"
Strike: "1"
Insert: "10"

And as amended, do pass. Report adopted.

JUDICIARY (Scully, Chairman): 1/29/79
HB 238, introduced bill, be amended as follows:

1. Page 2, line 19.
Following: "at"
Strike: "a"
Insert: "the"

2. Page 2, line 20.
Following: "rate"
Strike: "of 6% per annum"
Insert: "set by 15-30-142 for tax deficiencies"

3. Page 2, line 23.
Following: "part"
Strike: "1"
Insert: "6"

And as amended, do pass. Report adopted.

HB 248, introduced bill, be amended as follows:

1. Page 2, line 17.
Following: line 16
Insert: "(10) 'Record' means the verbatim record of all testimony recorded by shorthand, machine, or electronic recording device."
Renumber: subsequent subsection

2. Page 5, lines 23 and 24.
Following: "he"
Strike: "is within 2 years of his parole eligibility or discharge date"
Insert: "has served at least one-half of the time required for parole"

3. Page 6, lines 1 through 4.
Strike: lines 1 through 4 in their entirety

4. Page 9, line 20 through line 11, page 10.
Strike: subsection (2) in its entirety
Renumber: subsequent subsection

5. Page 10, line 12.
Following: "(3)"
Insert: "If a conference is not sufficient to resolve the problem, the prisoner shall be returned to the prison."

6. Page 10, line 15.
Following: line 14
Strike: "revocation"
Insert: "due process"

7. Page 10, lines 24 and 25.
Following: "reinstated"
Strike: the remainder of lines 24 and 25 in their entirety
Insert: "or revised. The prisoner is entitled to have counsel at the hearing at his own expense."

8. Page 11, line 10.
Following: "on"
Insert: "the record of"

9. Page 12, line 25.
Following: "hearing"
Insert: "on the record"

And as amended, do pass. Report adopted.

NATURAL RESOURCES (Shelden, Chairman): 1/29/79
HB 202, introduced bill, be amended as follows:

1. Title, line 6.
Following: "WHENEVER"
Strike: "POSSIBLE"
Insert: "ECONOMICALLY PRACTICABLE"

2. Page 3, line 9.
Following: "whenever"
Strike: "feasible"
Insert: "their use is as economically practicable as the use of private lands"

3. Page 6, line 6.
Following: "whenever"
Strike: "feasible"
Insert: "as economically practicable as the use of private lands"
Following: "and"
Strike: "if"
Following: "compatible"
Strike: "to"
Insert: "with"

And as amended, do pass. Report adopted.

HB 253, introduced bill, be amended as follows:

1. Page 2, line 23.
Following: "for"
Strike: "a period"
Insert: "periods"

2. Page 2, line 24.

Following: "years"
Insert: "each"

And as amended, do pass. Report adopted.

MOTIONS

Scully moved that HJR 9 be taken off Second Reading and referred to the Committee on State Administration for the purpose of amendment and a Statement of Intent. Motion carried.

Pistoria moved to temporarily suspend Joint Rule 6-7 to allow introduction of a bill for an act entitled: "An Act to require that the exact purpose of a proposed school bond be made known to the voters before a school bond election; requiring that the trustees' resolution or the validated petition calling a school election be published twice; amending section 20-9-423, MCA." Motion carried. (90-2)

Holmes moved to temporarily suspend Joint Rule 6-7 to allow introduction of a bill which she had in her possession. Motion carried. (82-7)

SPECIAL ORDERS OF THE DAY

Consent Calendar

Questions were asked on HB 168, HB 184, HB 194, HB 334, SB 45.

Dussault moved that the House adjourn until 2:30 p.m., January 30, 1979.

Motion carried.

House adjourned at 5:11 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

TWENTY-FOURTH LEGISLATIVE DAY

Helena, Montana
January 30, 1979

House Chambers
Capitol Building

House convened at 2:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Fagg, Hurwitz, Kanduch, Magone, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 1/30/79

Correctly enrolled - HB 6.
Correctly engrossed - HB 119, HB 259, HB 266.
Considered correctly engrossed - HB 250, HB 258, HB 311, HB 322, HB 325, HB 332, HB 338, HJR 4.
Correctly printed - HB 176, HB 202, HB 227, HB 238, HB 248, HB 253.

Examined by the Sponsor and found to be correct - HB 6.

Will be signed by the Speaker on adjournment, 1/30/79 - HB 6.

Do Pass

AGRICULTURE, LIVESTOCK AND IRRIGATION (Day, Chairman): 1/29/79

HB 231, introduced bill, be amended as follows:

1. Title, line 6.
Following: "LOCATED TO"
Strike: "REQUIRE A REASONABLE"
Insert: "RECEIVE ANY NEGOTIATED PAYMENT IN"

2. Title, line 7.
Following: "ANNUAL"
Strike: "PAYMENT"
Insert: "INSTALLMENTS"

3. Page 1, line 10.
Following: "Section 1."
Strike: "Annual payment"
Insert: "Optional annual installments"

4. Page 1, lines 12 and 13.
Following: "be located"
Strike: "may require the applicant to make a reasonable annual payment as compensation"
Insert: "shall have the option of receiving any negotiated settlement"

5. Page 1, line 14.
Following: "land"
Insert: ", if and when the land is used for a facility,"

6. Page 1, line 14.
Following: "conveyance"
Insert: "in either a lump sum or in not more than five consecutive annual installments"

And as amended, do pass. Report adopted.

HB 278, introduced bill, be amended as follows:

1. Page 2, line 7.
Following: "an individual"
Strike: "who is a member of one family and an individual of the same family"
Insert: ", his spouse, child, or grandchild"

2. Page 2, line 9.
Following: "an individual"
Strike: "who is a member of one family"

3. Page 2, line 12.
Following: "composed"
Insert: "solely"

4. Page 2, line 13.
Strike: "same"
Insert: "individual's"

5. Page 2, line 14.
Following: "composed"
Insert: "solely"

6. Page 2, line 15.
Following: "composed"
Insert: "solely"

7. Page 2.
Following: line 16
Insert: "(D) a business entity composed solely of members of the same family and individuals of the same family who are part of the business entity;"

8. Page 2, lines 17 through 18.
Strike: lines 17 through 18 in their entirety
Renumber: subsequent subsections

9. Page 2, lines 22 through 23.
Following: "natural"
Strike: remainder of lines 22 through 23 in their entirety

10. Page 2, line 24.
Strike: "years"
Insert: "increase or after brand inspection"

11. Page 3, line 1.
Strike: "one"
Insert: "the same"

12. Page 3, lines 2 through 4.
Following: "an individual,"
Strike: remainder of lines 2 through 4

13. Page 3, line 5.
Strike: "spouse of any such descendant"
Insert: "his parents, children, and the spouses of each"

And as amended, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Gilligan, Chairman):
1/27/79

HB 217, introduced bill, be amended as follows:

1. Title, line 7.
Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

2. Page 1, line 15.
Following: "first-"
Strike: ", second-,"
Insert: "and second-class school districts"

3. Page 2, line 17.
Following: "first-"
Strike: ",second-,"
Insert: "and second-class school districts"

4. Page 3.
Following: line 11
Insert: "Section 3. Effective date. This act is effective upon passage and approval."

And as amended, do pass. Report adopted.

HB 283, introduced bill, be amended as follows: 1/29/79

1. Page 1, line 19.
Following: "(2)"
Insert: "continuing"

2. Page 1, line 22.
Following: "~~fees~~"
Insert: "principally for the membership of the organization or offered without the payment of fees"

And as amended, do pass. Report adopted.

HJR 7, introduced bill, be amended as follows:

1. Title, line 8.
Following: line 7
Strike: "INTERMEDIATE SCHOOL DISTRICT"
Insert: "EDUCATION SERVICE AGENCY"

2. Page 1, line 23.
Following: "implemented"
Strike: "intermediate school district"
Insert: "education service agency"

3. Page 1, line 25.
Following: "the"
Strike: "intermediate units"
Insert: "education service agencies"

4. Page 2, line 1.
Following: "WHEREAS,"
Strike: "intermediate school districts"
Insert: "education service agencies"

5. Page 2, line 12.
Following: "an"
Strike: "intermediate school district"
Insert: "education service agency"

And as amended, do pass. Report adopted.

LOCAL GOVERNMENT (H. Robbins, Chairman): 1/29/79
HB 114, do pass. Report adopted.
HB 125, do pass. Report adopted.

HB 156, do pass. Report adopted.
HB 163, do pass. Report adopted.

Adverse Committee Reports

EDUCATION AND CULTURAL RESOURCES (Gilligan, Chairman): 1/29/79

HB 207, introduced bill, be amended as follows:

1. Title, line 5.
Following: "UPON"
Strike: "THE BOARD OF TRUSTEES OF"

2. Page 1, line 9 and line 10.
Following: "on"
Strike: "the board of trustees of"

3. Page 1, line 12.
Strike: "the board of trustees of"

4. Page 1, line 22 through line 1 on page 2.
Following: "(2)"
Strike: remainder of line 22 on page 1 through line 1 on page 2 in its entirety

5. Page 2, line 2.
Strike: "finance the additional costs. If"
Insert: "The means of"
Following: "financing"
Strike: "is"

6. Page 2, line 3.
Strike: "the remission of funds by"
Following: "state"
Strike: ", the remission"

7. Page 2, line 6 through line 8.
Strike: subsection (3) in its entirety
Renumber: subsequent subsections

And as amended, do not pass.

LOCAL GOVERNMENT (H. Robbins, Chairman): 1/29/79
HB 139, do not pass.
HB 198, do not pass.
HB 199, do not pass.

TAXATION (Huennekens, Chairman): 1/29/79
HB 319, do not pass.

Gould, Pistoria, Rosenthal, Vinger, Manning, Tropila, Gilligan, Reichert, Hand, Uhde objected that HB 198 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

Gould, Pistoria, Feda, Vinger, Manning, Tropila, Reichert, Hand, Uhde, Teague objected that HB 199 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

Consent Calendar

Bill unanimously passed in committee and unanimously placed on Consent Calendar:

AGRICULTURE, LIVESTOCK AND IRRIGATION (Day, Chairman): 1/29/79

SB 5, be concurred in. Reported adopted.

MESSAGES FROM THE OTHER HOUSE

House Bill not concurred in and returned to the House: 1/29/79

House Bill No. 44, introduced by Shelden

Senate Bills passed as amended and transmitted to the House for concurrence: 1/29/79

Senate Bill No. 147, introduced by Hager

Senate Bill No. 165, introduced by Van Valkenburg, Turnage

Senate Bill passed and transmitted to the House for concurrence: 1/29/79

Senate Bill No. 177, introduced by Turnage

Senate Bills passed on Third Reading Consent Calendar and transmitted to the House for concurrence: 1/29/79

Senate Bill No. 98, introduced by Hazelbaker

Senate Bill No. 125, introduced by Blaylock

Senate Bill No. 181, introduced by Hazelbaker, Turnage

House Bill passed on Third Reading Consent Calendar and returned to the House: 1/29/79

House Bill No. 5, introduced by Kvaalen

MOTIONS

Dussault moved that HB 452 be rereferred from the Committee on Natural Resources to the Committee on Judiciary. Motion carried.

Ramirez moved that HB 162 be taken off Second Reading this day and pass consideration for the day. Motion carried.

Kemmis moved that HB 418 be rereferred from the Committee on Human Services to the Committee on Appropriations. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 462, introduced by Gould, Ellis. Referred to Committee on Taxation.
HB 463, introduced by Gould, Metcalf, Cooney, Hemstad, Bennett, H. Robbins. Referred to Committee on Human Services.
HB 464, introduced by Keyser. Referred to Committee on Judiciary.
HB 465, introduced by Nathe. Referred to Committee on Taxation.
HB 466, introduced by Hirsch, (By Request of the Department of Revenue). Referred to Committee on Taxation.
HB 467, introduced by Hurwitz, Galt. Referred to Committee on Local Government.
HB 468, introduced by Oberg. Referred to Committee on Education and Cultural Resources.
HB 469, introduced by Oberg. Referred to Committee on State Administration.

HB 470, introduced by Nathe, Burnett, Iverson. Referred to Committee on Taxation.
HB 471, introduced by Fabrega, Roskie, (By Request of the Department of Revenue). Referred to Committee on Taxation.
HB 472, introduced by Fabrega, Goodover. Referred to Committee on Appropriations.
HB 473, introduced by Rosenthal, Nordtvedt, Fabrega, Tropila. Referred to Committee on Education and Cultural Resources.
HB 474, introduced by Johnson, McBride, Reichert, Gesek, Roth. Referred to Committee on Business and Industry.
HB 475, introduced by Kemmis, Regan, Galt, Yardley, Iverson, S. Brown, Scully. Referred to Committee on Judiciary.
HB 476, introduced by Fabrega, O'Hara, Moore, Dussault, Kemmis. Referred to Committee on Local Government.
HB 477, introduced by Hand, Marks, Quilici, O'Connell, Pavlovich, Daily, Nathe, Menahan. Referred to Committee on Taxation.
HB 478, introduced by Teague, Manuel, Johnston, Hirsch, K. Robbins, Daily, Dassinger, Nordtvedt, Huennekens, Ellis, Quilici, Jensen, Curtiss. Referred to Committee on Fish and Game.
HB 479, introduced by Holmes, Hager, Waldron, Thiessen. Referred to Committee on Taxation.
HB 480, introduced by Pistoria. Referred to Committee on Education and Cultural Resources.
HB 481, introduced by Nathe, Johnston, Iverson, Conroy, Seifert, Wood, Smith, Hand, Teague. Referred to Committee on State Administration.
HB 482, introduced by Meyer, Rasmussen, Scully, Ramirez, Fabrega, Moore, Tropila, Sivertsen, Menahan, Harper, Manuel, Ryan. Referred to Committee on State Administration.
HB 483, introduced by Bardanouve. Referred to Committee on Appropriations.
HB 484, introduced by Seifert, Fabrega, Meyer, Keyser, Conroy, Roth. Referred to Committee on State Administration.
HJR 19, introduced by Teague, Dozier, Fabrega, Williams, Ramirez, Holmes, O'Connell, Dassinger, Pistoria, H. Robbins, Johnson, Gerke, Johnston, Frates, Harper, Bengtson, Kessler, Huennekens. Referred to Committee on State Administration.

The following Senate bills were introduced, read first time and referred to committees:

SB 98, introduced by Hazelbaker, (By Request of the Attorney General). Referred to Committee on Highways and Transportation.
SB 125, introduced by Blaylock, (By Request of the Code Commissioner). Referred to Committee on Human Services.
SB 147, introduced by Hager. Referred to Committee on Taxation.
SB 165, introduced by Van Valkenburg, Turnage, (By Request of the Attorney General). Referred to Committee on Judiciary.
SB 177, introduced by Turnage, (By Request of the Revenue Oversight Committee). Referred to Committee on Taxation.
SB 181, introduced by Hazelbaker, Turnage. Referred to Committee on Taxation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Meyer in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Moore moved that HB 34 be placed on the bottom of the board. Motion carried.

That HB 104 do pass. (88-0)

Magone, Kanduch present at this time.

That HB 140 do not pass. (63-33)

Hurwitz present at this time.

That HB 142, second reading copy, be amended as follows: (49-46)

1. Title, line 6.
Following: "ALLOW;"
Insert: "PROVIDING THAT RELIGIOUS INSTRUCTION MUST MEET CERTAIN REQUIREMENTS;"

2. Page 2.
Following: line 7
Insert: "(5) Any person or organization providing religious instruction under this section shall:

(a) provide classroom facilities on private property within walking distance of the school; and

(b) keep accurate attendance records and make reports to school officials as requested."

And as amended, do pass. (56-42)

Dussault moved that the Journal be corrected to reflect Representative Sales as voting "aye" on HB 142. Motion carried. (94-0)

House at ease at 4:21 p.m.

House reconvened at 4:25 p.m.

Dussault moved that HB 152 be moved to the bottom of the board. Motion carried.

Johnson moved that HB 251 be passed to the bottom of the board. Motion carried. (64-26)

That HB 34, second reading copy, be amended as follows: (84-3)

1. Page 2, lines 10 and 11.
Following: "DISTRICT"
Strike: "or in two issues of a weekly newspaper"

And as amended, do pass. (57-36)

Dussault moved that HB 152 pass consideration for the day. Motion carried.

Dussault moved that HB 251, as amended, pass consideration for the day. Motion carried.

Amendments to HB 251, second reading copy, reading as follows: (64-19)

1. Page 2, line 3.
Following: "~~$500~~"
Strike: "$100"
Insert: "$200"

2. Page 2, line 4.
Following: "~~$1000~~"
Strike: "$250"
Insert: "$500"

Further amendments to HB 251, second reading copy, reading as follows: (62-26)

1. Page 1, line 22.
Following: "Penalty"
Strike: "— enforcement"
Following: "enforcement."
Strike: "(1)"

2. Page 2, lines 5 and 6.
Strike: subsection (2) in its entirety

That the Committee rise and report. (Meyer, Chairman). Report adopted. (86-4)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 30 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, South, Spilker, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 81

Noes: Burnett, Ellerd, Hayne, Keyser, Pistoria, Porter, H. Robbins, Seifert, Smith, Stobie.
Total 10

Excused: Fagg.
Total 1

Absent or not voting: Bardanouve, Ellison, Eudaily, Harrington, Keedy, Scully, Staigmiller, Underdal.
Total 8

House Bill No. 132 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory,

Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: Harper.
Total 1

Excused: Fagg.
Total 1

Absent or not voting: Pistoria, Scully, Staigmiller, Underdal.
Total 4

House Bill No. 192 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: Nathe, Stobie.
Total 2

Excused: Fagg.
Total 1

Absent or not voting: Staigmiller, Underdal.
Total 2

House Bill No. 203 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Fagg.
Total 1

Absent or not voting: Staigmiller, Underdal.
Total 2

House Bill No. 223 was passed by the following vote:

Ayes: Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Smith, South, Spilker, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick.
Total 81

Noes: Anderson, Azzara, Bardanouve, Brand, Dussault, Ellison, Hayne, Keedy, Kemmis, Oberg, Reichert, H. Robbins, Sivertsen, Stobie, Yardley, Mr. Speaker.
Total 16

Excused: Fagg.
Total 1

Absent or not voting: Staigmiller, Underdal.
Total 2

House Bill No. 225 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, South, Stobie, Teague, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 85

Noes: Bengtson, Burnett, Day, Ellison, Hayne, Huennekens, Seifert, Sivertsen, Smith, Spilker, Thoft.
Total 11

Excused: Fagg.
Total 1

Absent or not voting: Magone, Staigmiller, Underdal.
Total 3

House Bill No. 226 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Feda, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Manning, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Scully, Seifert, Sivertsen,

Smith, South, Teague, Thoft, Tropila, Uhde, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.
Total 76

Noes: Azzara, Brand, Dassinger, Dussault, Ellison, Frates, Holmes, Kemmis, McBride, Magone, Manuel, Metcalf, Oberg, Ramirez, Rosenthal, Shelden, Spilker, Stobie, Vincent, Wood, Yardley.
Total 21

Excused: Fagg.
Total 1

Absent or not voting: Staigmiller, Underdal.
Total 2

House Bill No. 229 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lien, Lund, McBride, Magone, Manning, Marks, Menahan, Metcalf, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Shelden, Sivertsen, South, Spilker, Stobie, Teague, Thoft, Uhde, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.
Total 76

Noes: Brand, Dassinger, Dussault, Fabrega, Harper, Hayne, Huennekens, Kemmis, Lory, Manuel, Meyer, Moore, Porter, Ramirez, Scully, Seifert, Smith, Tropila, Waldron, Yardley.
Total 20

Excused: Fagg.
Total 1

Absent or not voting: Sales, Staigmiller, Underdal.
Total 3

House Bill No. 242 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Fagg.
Total 1

Absent or not voting: Staigmiller, Underdal.

Total 2

House Bill No. 270 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 94

Noes: Keyser, Smith, Wyrick.
Total 3

Excused: Fagg.
Total 1

Absent or not voting: Staigmiller, Underdal.
Total 2

House Bill No. 300 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Fagg.
Total 1

Absent or not voting: Azzara, Staigmiller, Underdal.
Total 3

House Bill No. 308 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nordtvedt, Oberg, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert,

Shelden, Sivertsen, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: Feda, Moore, Nathe, K. Robbins, Smith, Waldron.
Total 6

Excused: Fagg.
Total 1

Absent or not voting: Bertelsen, Ellis, O'Connell, Staigmiller, Underdal.
Total 5

Senate Bill No. 73 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, South, Spilker, Stobie, Teague, Thoft, Tropila, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 85

Noes: Conroy, Keyser, Lien, Moore, Ramirez, H. Robbins, Seifert, Sivertsen, Smith, Uhde.
Total 10

Excused: Fagg.
Total 1

Absent or not voting: Frates, Johnson, Staigmiller, Underdal.
Total 4

Consent Calendar

House Bill No. 168 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: Nathe.
Total 1

Excused: Fagg.
Total 1

Absent or not voting: Bennett, Bertelsen, Underdal.

Total 3

House Bill No. 184 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Moore, Nathe, Smith, Stobie.
Total 4

Excused: Fagg.
Total 1

Absent or not voting: Bennett, Dassinger, Oberg, Underdal.
Total 4

House Bill No. 194 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: Nathe.
Total 1

Excused: Fagg.
Total 1

Absent or not voting: Dozier, K. Robbins, Shelden, Underdal.
Total 4

House Bill No. 334 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins,

Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: Burnett.
Total 1

Excused: Fagg.
Total 1

Absent or not voting: Underdal.
Total 1

Senate Bill No. 45 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Nathe.
Total 1

Excused: Fagg.
Total 1

Absent or not voting: Bennett, Burnett, Curtiss, O'Connell, K. Robbins, Seifert, Thoft.
Total 7

COMMUNICATIONS AND PETITIONS

Dussault read to the members a letter she received from Senator Stephens and her reply:

Representative Ann Mary Dussault — January 30, 1979
House Majority Leader
Capitol Station
Helena, Montana 59601

Dear Majority Leader Dussault:

As a courtesy to the members of the House of Representatives I have been instructed by the members of the Senate Rules Committee to advise you of the action taken Monday, January 29, by the committee.

Following a discussion by members of the Senate Rules Committee concerning the deadline for transmittal of regular legislation scheduled for the 45th legislative day the following motion by Senator Ed Smith was passed:

> "In the interest of maintaining an orderly schedule, the Senate goes on record in opposition to any suspension of the Joint Rules that would extend the deadline for transmittal of regular legislation past the 45th legislative day. Further, that all Senate committees be

advised of this action and that the Chairman of the Senate Rules Committee be instructed to inform the leadership of the House of this action." Motion carried by a vote of seven to two with one abstainer. The motion merely reaffirms the Joint Rules on transmittal.

In order to expedite the introduction of bills still being processed by the Legislative Council, the Senate Standing Committees have released committee researchers in order that they may devote full time to bill drafting. The Council has informed me that should the House release committee researchers, in a similar manner, that all bills requested for this session could be ready for introduction within the next ten days.

Assuming we are able to have all bills in the hopper within ten days, both the House and Senate should have time to process the legislation in accordance with the transmittal deadline of February 23, 1979.

We trust the House will join with the Senate in a concerted effort to meet the deadline as I know you are as concerned as we are that the legislature remain on schedule.

Sincerely,

Stan Stephens
Senate Majority Leader

Senator Stan Stephens, Chairman
Senate Rules Committee

January 30, 1979

Dear Majority Leader Stephens:

I have received your letter dated this day regarding the actions of the Senate Rules Committee. I assure you that the House is also interested in an orderly and expeditious schedule. That certainly was our intent when we, in good faith, voted on the transmittal deadline assuming that if the workload dictated differently the deadline would be flexible. Changes, we thought, would be subject to the reasonable judgment of the men and women of both houses.

It is important that the leadership in both houses understand that the direction for the work of the Legislative Council staff rests with the bipartisan, appointed Council. It is equally important that the leadership of both houses understand that they are neither responsible for, nor in control of said staff.

There are still 300 to 400 bills in the Legislative Council that are in process but have not yet been delivered to the sponsoring legislators. There are an additional 300 bills on the desks of Council drafters that have not even begun their way through the Legislative Services Division.

Fully understanding the burden that will be on standing committees of both houses when these 600 bills are introduced, the House leadership cannot prematurely agree to strict observation of the 45th day as transmittal deadline.

At the request of the Legislative Council, the committee chairmen of House standing committees were directed approximately three weeks ago to free Council researchers to draft bills. That directive is still in effect in this body, and will continue at the discretion of the committee chairmen.

We trust the Senate will join with the House in a concerted effort to do the work of this Legislature in the most responsible manner as I know you are as concerned as we are that the Legislature do the best job possible for the people of this state.

Sincerely,

Ann Mary Dussault
House Majority Leader

MOTIONS

Ramirez moved that the Adverse Committee Reports to be voted on in Order of Business #2, if no timely objection is made, be listed on the agenda sheet for the use of the members. After some discussion, Teague moved to amend the motion by inserting that the Adverse Committee Reports be placed on the electronic posting board also. Motion failed. (8-88) Thereupon, Ramirez's motion passed. (63-33)

Dussault moved that the House adjourn until 2:30 p.m., January 31, 1979.

Motion carried.

House adjourned at 5:37 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

TWENTY-FIFTH LEGISLATIVE DAY

Helena, Montana
January 31, 1979

House Chambers
Capitol Building

House convened at 2:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Harper. Pledge of Allegiance to the Flag.

Roll call. All members present except Bengtson, Eudaily, Kvaalen, Moore, H. Robbins, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Twentieth, Twenty-first and Twenty-second Legislative Days, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 1/30/79
Correctly engrossed - HB 208.
Correctly printed - HB 175.
Considered correctly engrossed - HB 104. 1/31/79
Correctly engrossed - HB 34, HB 142.
Correctly printed - HB 114, HB 125, HB 156, HB 163, HB 198, HB 199, HB 217, HB 231, HB 283, HJR 7.

Signed by the Speaker on adjournment, 1/30/79 - SB 56, SB 63.

Do Pass

BUSINESS AND INDUSTRY (Quilici, Chairman): 1/31/79
HB 359, introduced bill, be amended as follows:

1. Page 1, line 23.
Following: "and"
Insert: "an estimate of"

And as amended, do pass. Report adopted.

HJR 12, introduced bill, be amended as follows:

1. Page 2, lines 8 and 9.
Following: "to"
Strike: "petrochemical production of"
Insert: "petroleum products for"

2. Page 2, line 12.
Following: "up"
Insert: "economic"

3. Page 2, lines 12 and 13.
Following: "opportunities"
Strike: "for new chemical production"

4. Page 2, lines 20 and 21.
Following: "manner"
Strike: "using the best available technology"

5. Page 3, line 13.
Following: "the"
Strike: "head"
Insert: "President"

6. Page 3, line 16.
Following: "the"
Strike: "Federal Power Commission"
Insert: "Federal Energy Regulatory Commission"

7. Page 3, lines 18 and 19.
Following: "the"
Strike: "Federal Energy Administration"
Insert: "Department of Energy"

And as amended, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Baeth, Chairman): 1/30/79

Respectfully report that the Standing Committee Report of the House Committee on Highways and Transportation, dated January 18, 1979, be amended as follows:

1. Amendments 1 and 2.
Strike: amendments 1 and 2

And as amended, do pass. Report adopted.

HUMAN SERVICES (Holmes, Chairman): 1/30/79
HB 112, introduced bill, be amended as follows:

1. Page 2.
Following: line 22
Insert: "(2) The governor shall determine the specific cost relationship between the present system of providing human services compared to the system proposed by [this act]."
Renumber: subsequent subsection

2. Page 2, line 25.
Following: "necessary,"
Insert: "and a report"

3. Page 3.
Following: line 12
Insert: "SECTION 5. THERE IS A NEW MCA SECTION THAT READS:

Mandatory plan development. In the event that [House Bill No. 117] does not pass, the governor shall develop the plan provided for in [section 2(1) of this act]. The plan and implementation legislation shall be presented to the next legislature."

And as amended, do pass. Report adopted.

STATE ADMINISTRATION (Brand, Chairman): 1/30/79
HB 324, introduced bill, be amended as follows:

1. Title, lines 7 and 8.
Following: "SERVICES"
Strike: "AND REALLOCATE FEES COLLECTED FOR ALCOHOLISM SERVICES"

2. Page 4, lines 4 through 22.
Strike: section 2 in its entirety

And as amended, do pass. Report adopted.

HB 358, do pass. Report adopted.
HB 405, do pass. Report adopted.

TAXATION (Huennekens, Chairman): 1/31/79

HB 149, introduced bill, be amended as follows:

1. Title, line 6.
Following: "ON"
Insert: "PRODUCTIVE FARM"

2. Page 1, line 11.
Following: "and"
Insert: "productive farm"

3. Page 1, line 12.
Following: "at"
Insert: "and owned by"

And as amended, do pass. Report adopted.

HB 340, introduced bill, be amended as follows:

1. Page 1, lines 17 and 18.
Following: "in"
Strike: "72-16-440 and"

And as amended, do pass. Report adopted.

Adverse Committee Reports

LABOR AND EMPLOYMENT RELATIONS (Williams, Chairman): 1/30/79

HB 33, do not pass.
HB 129, do not pass.
HB 177, do not pass.

Pavlovich, Cooney, Menahan, Harper, Daily, Johnston, Brand, Hand, Staigmiller, Bengtson objected that HB 129 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

On motion by Reichert, the Adverse Committee Report on HB 139 was adopted by the following vote: (79-8)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Oberg, Pavlovich, Pistoria, Porter, Quilici, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Thoft, Tropila, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 79

Noes: Burnett, Gilligan, Hemstad, O'Connell, Teague, Uhde, Underdal, Wyrick.
Total 8

Excused: Bengtson, Eudaily, Kvaalen, Moore, H. Robbins.
Total 5

Absent or not voting: Bertelsen, Brand, Cooney, Ellison, Kessler, Nordtvedt, Ramirez, Stobie.
Total 8

On motion by Gilligan, the Adverse Committee Report on HB 207 was adopted by the following vote: (77-13)

Ayes: Anderson, Baeth, Bardanouve, Bennett, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vinger, Williams, Yardley, Mr. Speaker.
Total 77

Noes: Azzara, Fabrega, Frates, Harper, Holmes, Johnson, Metcalf, Nordtvedt, South, Vincent, Waldron, Wood, Wyrick.
Total 13

Excused: Bengtson, Eudaily, Kvaalen, Moore, H. Robbins.
Total 5

Absent or not voting: Bertelsen, Dussault, Sales, Scully, Stobie.
Total 5

On motion by Huennekens, the Adverse Committee Report on HB 319 was adopted by the following vote: (80-12)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Brand, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 80

Noes: Burnett, Conroy, Daily, Ernst, Keyser, Lien, Metcalf, Roth, South, Teague, Vincent, Waldron.
Total 12

Excused: Bengtson, Eudaily, Kvaalen, H. Robbins.
Total 4

Absent or not voting: Bertelsen, Moore, Nordtvedt, Smith.
Total 4

Consent Calendar

Bills unanimously passed in committee and unanimously placed on Consent Calendar:

BUSINESS AND INDUSTRY (Quilici, Chairman): 1/31/79
HB 375, do pass. Report adopted.

STATE ADMINISTRATION (Brand, Chairman): 1/30/79
SB 48, be concurred in. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable Harold Gerke January 30, 1979

Speaker of the House
House of Representatives
State Capitol
Helena, Montana

Dear Mr. Speaker:

This is to inform you that I have signed that following measure this date.

House Bill No. 41

Sincerely,

Thomas L. Judge
Governor

MESSAGES FROM THE OTHER HOUSE

Senate Bill passed and transmitted to the House for concurrence: 1/30/79

Senate Bill No. 127, introduced by Blaylock

House Bill passed on Third Reading Consent Calendar and returned to the House: 1/30/79

House Bill No. 10, introduced by Kvaalen

Senate Bill and Senate Joint Resolution passed as amended and transmitted to the House for concurrence: 1/30/79

Senate Bill No. 174, introduced by Hager, Donaldson

Senate Joint Resolution No. 6, introduced by Aklestad, Kolstad, et al

MOTIONS

Dussault moved that HB 227 be taken off Second Reading and referred to the Committee on Business and Industry for the purpose of a Statement of Intent. Motion carried.

Dussault moved that HB 238 be taken off Second Reading and referred to the Committee on Judiciary for the purpose of a Statement of Intent. Motion carried.

Dussault moved that HB 251 be taken off Second Reading and placed on Second Reading for the Twenty-eighth Legislative Day. Motion carried.

Vincent moved that the Journal reflect that Bengtson, Kvaalen, Moore be excused because they are on official business this date. Motion carried.

Lory moved that HB 162 be taken off Second Reading and placed on Second Reading for the Twenty-eighth Legislative Day. Motion carried.

Huennekens moved that the rules be suspended to allow the addition of Senator Palmer's name as a co-sponsor on HB 398. Motion carried. (87-0)

South moved that HB 260 be rereferred from the Select Committee on Employee Compensation to the Committee on State Administration. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 485, introduced by Lund. Referred to Committee on Education and Cultural Resources.

HB 486, introduced by Moore, Fabrega. Referred to Committee on Business and Industry.

HB 487, introduced by Bengtson, Towe. Referred to Committee on Human Services.

HB 488, introduced by H. Robbins, Eudaily, Scully, Staigmiller, Quilici. Referred to Committee on Local Government.

HB 489, introduced by Bengtson. Referred to Committee on Agriculture, Livestock and Irrigation.

HB 490, introduced by Burnett. Referred to Committee on Local Government.

HB 491, introduced by Menahan, Gilligan, Daily, Harrington, Pavlovich. Referred to Committee on Taxation.

HB 492, introduced by Menahan, Gilligan, Daily, Harrington, Pavlovich. Referred to Committee on State Administration.

HB 493, introduced by Cooney, (By Request of the Department of Justice). Referred to Committee on Judiciary.

HB 494, introduced by Nathe. Referred to Committee on Local Government.

HB 495, introduced by Cooney, McBride, Vinger, Vincent, Gesek, Gould, Stobie, Feda, Johnston, Underdal, Hemstad, Nordtvedt, Uhde, Ellerd, Roth, Iverson, Anderson, Ramirez, Tropila, Staigmiller, Lien, O'Connell, Pavlovich, Conroy, Smith, Hand, (By Request of the Department of Justice). Referred to Committee on Business and Industry.

HB 496, introduced by Moore, Scully, Underdal, O'Hara. Referred to Committee on Taxation.

HB 497, introduced by Donaldson, Thoft, Azzara, Bengtson, Marks, Roth, Iverson, Anderson, Keyser, Bennett. Referred to Committee on Taxation.

HB 498, introduced by Hemstad. Referred to Committee on State Administration.

HB 499, introduced by Johnson, Quilici, Lory, Towe, (By Request of the Department of Revenue). Referred to Committee on Taxation.

HJR 20, introduced by Teague, Rosenthal, Dassinger, Lien, Nordtvedt. Referred to Committee on Business and Industry.

HJR 21, introduced by Bennett, Ramirez, Quilici, Menahan, Kropp, Moore, Pavlovich, Daily, Harrington, Johnston, Bertelsen, Curtiss, Gerke, Keyser, Sivertsen, Keedy, Iverson, Seifert, Metcalf, Rosenthal, Kessler, Lund, Nathe, Ellerd, Gesek, Pistoria, Feda, Burnett, Ellison, Kvaalen, Hand, Scully. Referred to Committee on Business and Industry.

HJR 22, introduced by Hirsch. Referred to Committee on Fish and Game.

HJR 23, introduced by Scully, Vincent, Ellerd, Sales, Nordtvedt, Boylan, Anderson, Lensink. Referred to Committee on Appropriations.

HJR 24, introduced by Marks, Dussault, Moore, Scully, Ramirez, Sivertsen, Keyser, Anderson, Nathe, Stobie, Lund, Vinger, Feda, Hemstad, Hayne. Referred to Committee on Labor and Employment Relations.

The following Senate bills were introduced, read first time and referred to committees:

SB 127, introduced by Blaylock, (By Request of the Code Commissioner). Referred to Committee on Human Services.

SB 174, introduced by Hager, Donaldson. Referred to Committee on Taxation.

SJR 6, introduced by Aklestad, Kolstad, Nelson, Mehrens, Kropp, Burnett, Wyrick, Moore, Curtiss, Nordtvedt, Stobie, Galt, Iverson, Thoft, Roth, Hurwitz, Marks, Nathe, Schultz, Ernst, Keyser, Seifert, Johnston, Donaldson, Lund, Underdal, Staigmiller, Sivertsen, Meyer, Ellison, Spilker, Porter, Vinger, Hayne, Ellerd, Lien. Referred to Committee on State Administration.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 119 was passed by the following vote:

Ayes: Anderson, Azzara, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Daily, Dassinger, Donaldson, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, Spilker, Teague, Thoft, Tropila, Uhde, Underdal, Vinger, Wood, Wyrick.
Total 72

Noes: Baeth, Bardanouve, Brand, Cooney, Day, Dozier, Dussault, Frates, Harper, Hirsch, Huennekens, Manning, Oberg, Quilici, Shelden, South, Staigmiller, Vincent, Waldron, Yardley, Mr. Speaker.
Total 21

Excused: Bengtson, Eudaily, Kvaalen, Moore, H. Robbins.
Total 5

Absent or not voting: Stobie, Williams.
Total 2

House Bill No. 208 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 87

Noes: Hurwitz, Jensen, Lund, Nathe, Nordtvedt, Ramirez, Seifert, Smith.
Total 8

Excused: Bengtson, Eudaily, Kvaalen, Moore, H. Robbins.
Total 5

Absent or not voting: None.
Total 0

House Bill No. 250 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier,

Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Hemstad, Manuel.
Total 2

Excused: Bengtson, Eudaily, Kvaalen, Moore, H. Robbins.
Total 5

Absent or not voting: Azzara, Sivertsen, Waldron.
Total 3

House Bill No. 258 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 92

Noes: Yardley.
Total 1

Excused: Bengtson, Eudaily, Kvaalen, Moore, H. Robbins.
Total 5

Absent or not voting: McBride, Tropila.
Total 2

House Bill No. 259 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: None.

Total 0

Excused: Bengtson, Eudaily, Kvaalen, Moore, H. Robbins.
Total 5

Absent or not voting: Hirsch, Johnson, Lien, Porter.
Total 4

House Bill No. 266 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 92

Noes: Nathe, Smith, Wyrick.
Total 3

Excused: Bengtson, Eudaily, Kvaalen, Moore, H. Robbins.
Total 5

Absent or not voting: None.
Total 0

House Bill No. 311 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Marks, Menahan, Metcalf, Meyer, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Nathe, Smith, Uhde.
Total 3

Excused: Bengtson, Eudaily, Kvaalen, Moore, H. Robbins.
Total 5

Absent or not voting: Azzara, Jensen, Manuel.
Total 3

House Bill No. 322 was passed by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Conroy, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Ellerd, Ellis, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper,

Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 79

Noes: Anderson, Burnett, Curtiss, Donaldson, Ellison, Hayne, Hurwitz, Keedy, Kemmis, Nathe, Porter, Smith, Stobie, Underdal, Vinger, Wood.
Total 16

Excused: Bengtson, Eudaily, Kvaalen, Moore, H. Robbins.
Total 5

Absent or not voting: None.
Total 0

House Bill No. 325 was passed by the following vote:

Ayes: Anderson, Baeth, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Azzara, Bardanouve, Brand, Manning.
Total 4

Excused: Bengtson, Eudaily, Kvaalen, Moore, H. Robbins.
Total 5

Absent or not voting: Tropila.
Total 1

House Bill No. 332 was passed by the following vote:

Ayes: Anderson, Burnett, Conroy, Curtiss, Daily, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily, Feda, Gould, Holmes, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Marks, Moore, Nathe, Pavlovich, Porter, Quilici, Ramirez, K. Robbins, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vinger, Wood, Wyrick.
Total 50

Noes: Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Cooney, Dassinger, Day, Dozier, Dussault, Fabrega, Fagg, Frates, Gesek, Gilligan, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Johnson, Keedy, Kemmis, Kessler, McBride, Magone, Manning, Menahan, Metcalf, Meyer, Nordtvedt, Oberg, O'Connell, Pistoria, Reichert, Rosenthal, Shelden, South, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 46

Paired: Eudaily, Kvaalen, Moore, Ayes; Dussault, Kemmis, Vincent, Noes.

Excused: Bengtson, H. Robbins.
Total 2

Absent or not voting: Hand, Manuel.
Total 2

House Bill No. 338 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Conroy, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Ellison, Ernst, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Lien, Lory, Lund, McBride, Magone, Manning, Marks, Menahan, Metcalf, Meyer, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Schultz, Scully, Shelden, Sivertsen, South, Staigmiller, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 75

Noes: Azzara, Burnett, Curtiss, Donaldson, Ellerd, Feda, Hayne, Kropp, Manuel, Nathe, Nordtvedt, Porter, Roth, Sales, Seifert, Smith, Spilker, Stobie, Underdal, Wyrick.
Total 20

Excused: Bengtson, Eudaily, Kvaalen, Moore, H. Robbins.
Total 5

Absent or not voting: None.
Total 0

House Joint Resolution No. 4 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Sales, Smith.
Total 2

Excused: Bengtson, Eudaily, Kvaalen, Moore, H. Robbins.
Total 5

Absent or not voting: Shelden.
Total 1

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Scully in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 152, second reading copy, be amended as follows: (83-5)

1. Title, line 5.
Following: "WHENEVER"
Strike: "POSSIBLE"
Insert: "FEASIBLE"

2. Title, line 6.
Following: "TO"
Strike: "PROHIBIT"
Insert: "DISCOURAGE"

3. Title, line 6.
Following: "FOREIGN-PRODUCED"
Strike: "MEAT"
Insert: "BEEF"

4. Page 1, line 9.
Following: "preferred"
Strike: "—no foreign beef"

5. Page 1, line 13.
Following: "whenever"
Strike: "possible"
Insert: "feasible"

6. Page 1, lines 14 through 15.
Following: "to"
Strike: remainder of lines 14 through 15 in their entirety

7. Page 1, line 16.
Strike: "food services"
Insert: "avoid, where feasible, the purchase of beef produced outside the United States"

And as amended, do pass. (57-39)

That HB 176 do pass. (89-0)

That HB 202 do pass. (87-2)

That HB 248, second reading copy, be amended as follows: (59-32)

1. Page 6, line 1.
Following: "if he"
Insert: "is within two years of his parole eligibility and"

That HB 248, second reading copy, be further amended as follows: (88-0)

1. Page 2, lines 3 and 4.
Following: "in"
Strike: "a work, school, or treatment"
Insert: "an educational, treatment, or training"

2. Page 3, line 7.
Following: line 6
Strike: "persons serving sentences in prison"
Insert: "prisoners"

3. Page 3, line 12.
Following: "qualified"
Strike: "persons"
Insert: "prisoners"

4. Page 3, line 21.
Following: line 20
Strike: "persons"
Insert: "prisoners"

5. Page 4, line 7.
Following: "selected"
Strike: "persons"
Insert: "prisoners"

And as amended, do pass. (71-21)

That HB 253 do pass. (89-0)

That the Committee rise and report. (Scully, Chairman). Report adopted. (78-11)

REPORTS OF STANDING COMMITTEES

Signed by the Speaker on adjournment, 1/30/79 - HB 6.

Do Pass

BUSINESS AND INDUSTRY (Quilici, Chairman): 1/31/79
HB 316, introduced bill, be amended as follows:

1. Page 6, line 16.
Following: "means"
Strike: "comminuted"
Insert: "ground"

2. Page 6, line 18.
Following: "suet"
Insert: ","

3. Page 6, line 21.
Following: "20%"
Insert: ","

4. Page 7, line 4.
Following: "subsection"
Strike: "(14)"
Insert: "(15)"

5. Page 12, line 3.
Following: "to"
Strike: "such"
Insert: "the"

6. Page 12, line 11.
Following: line 10
Strike: "(a) The ingredients must be listed in descending order of predominance by weight."

7. Page 12, line 13.
Following: line 12
Strike: "(b)"
Insert: "(a)"

8. Page 12, line 15.

Following: "included"
Strike: ","
Insert: "."

9. Page 12, line 15.
Following: "included,"
Strike: "and"
Insert: "(b) The ingredients must be listed in descending order of predominance by weight."

10. Page 12, line 15.
Following: "included, and"
Strike: "if"
Insert: "(c) If"

11. Page 12, line 16.
Following: "menu,"
Strike: "such"
Insert: "the"

12. Page 12, line 18.
Following: "boldface"
Insert: "and"

13. Page 12, line 20.
Following: line 19
Strike: "(c)"
Insert: "(d)"

And as amended, do pass. Report adopted.

JUDICIARY (Scully, Chairman): 1/31/79

HB 352, introduced bill, be amended as follows:

1. Page 1, line 25.
Following: "affixed to"
Insert: "the upper left-hand corner of"

And as amended, do pass. Report adopted.

HB 369, introduced bill, be amended as follows:

1. Title, line 9.
Following: "BY"
Insert: "CERTIFIED"

2. Title, lines 9, 10 and 11.
Following: "MAIL;"
Strike: "PROVIDING THAT LEVIES ON SALARIES AND WAGES CONTINUE IN EFFECT UNTIL THE AMOUNT DUE HAS BEEN RECOVERED;"

3. Page 3, line 5.
Following: "by"
Insert: "certified"

4. Page 3, line 6.
Following: line 5
Strike: subsection (4) in its entirety
Renumber: subsequent subsection

And as amended, do pass. Report adopted.

HB 396, do pass. Report adopted.

HB 413, introduced bill, be amended as follows:

1. Title, line 8.
Following: "COMPENSATION"
Insert: "AND CLARIFYING THE MEANING OF MONTHLY COMPENSATION FOR PURPOSES OF THE STATEWIDE POLICE RETIREMENT SYSTEM"

2. Title, line 9.
Following: "7-32-4135,"
Strike: "AND"
Following: "7-32-4136,
Insert: "AND 19-9-104,"

3. Page 2, line 23.
Following: line 22
Insert: "SECTION 4. SECTION 19-9-104, MCA, IS AMENDED TO READ:

'19-9-104. Definitions. (No change in introduction and subsections (1) through (13)). (14) "Monthly compensation" means the wage, excluding overtime, holiday payments, shift differential payments, compensation time payments, and payments in lieu of sick leave and annual leave, a member receives as an active police officer or would receive as an active police officer were it not for an injury resulting in partial salary payments under 7-32-4132. (No change in subsections (15) through (22)).'"
Renumber: subsequent section

And as amended, do pass. Report adopted.

HJR 15, do pass. Report adopted.

STATE ADMINISTRATION (Brand, Chairman): 1/30/79
HB 197, introduced bill, be amended as follows:

1. Page 1, line 15.
Following: "committees"
Insert: "and rules committees"

And as amended, do pass. Report adopted.

HJR 13, introduced bill, be amended as follows: 1/31/79

1. Title, line 8.
Following: "PROGRAM"
Insert: "AND OTHER STATE EMPLOYEES WHO HAVE DEMONSTRATED SUPERIOR JOB PERFORMANCE"
Following: "PROVIDING"
Strike: "COMMENSURATE"
Insert: "OPPORTUNITY FOR ADVANCEMENT AND"

2. Title, lines 8 and 9.
Following: "INCREASES"
Strike: remainder of lines 8 through 9 in their entirety

3. Title, line 10.
Strike: "EQUIVALENCY FOR SUCH PROGRAM"

4. Page 1, line 24 through line 4 on page 2.
Following: "WHEREAS,"
Strike: remainder of line 24 on page 1 through line 4 on page 2 in its entirety

Insert: "to encourage incentive, advancement, and professionalism in all occupations in state government, it is appropriate for the State of Montana to grant recognition to state employees who have demonstrated superior job performance, capacity, ability, and quality and length of service, and such recognition should include salary advancements in the form of step increases for state employees; and

WHEREAS, a system to identify and recognize meritorious service is needed to reward state employees, and it would be appropriate for the State of Montana to develop a uniform evaluation system that would reward state employees fairly and equitably."

5. Page 2, line 8.
Strike: "(1)"
Following: "of"
Strike: "Section"
Insert: "Sections"
Following: "2-18-102(3)"
Insert: "and 2-18-301"

6. Page 2, line 9.
Following: "to"
Strike: "immediately"

7. Page 2, line 12.
Following: line 11
Strike: remainder of resolution in its entirety
Insert: "(1) provide opportunity for merit pay or productivity bonuses, based upon demonstrated superior job performance; and

(2) implement a uniform system of performance-based evaluation through periodic supervisor/employee conferences. The system shall be designed to improve job performance, enhance supervisor/employee communications, and determine appropriate action concerning employee retention, advancement, and merit recognition. The system should encourage employee initiative in gaining increased relevant job knowledge such as demonstrated by professional certification."

And as amended, do pass. Report adopted.

TAXATION (Huennekens, Chairman): 1/31/79
HB 141, introduced bill, be amended as follows:

1. Title, line 6.
Following: "CONTRACTORS'"
Insert: "LIMITS AND"

2. Title, line 7.
Following: "FEES"
Insert: "AND TO ADD A NEW CLASS"

3. Page 1, line 12.
Following: line 11
Strike: "three"
Insert: "four"

4. Page 1, line 14.
Following: "B,"
Strike: "and"
Following: "C"
Insert: ", and D"

5. Page 1, line 25.
Following: "~~$200~~"
Strike: "$300"
Insert: "$400"

6. Page 2, line 6.
Following: "~~$100~~"
Strike: "$150"
Insert: "$100"

7. Page 2.
Following: line 14
Insert: "(5) The holder of a Class D license is entitled to engage in the public contracting business within the state but may not engage in the construction of any single public contract project of a value in excess of $15,000 and shall pay to the registrar as a license fee the sum of $15 at the time of making application therefor."

And as amended, do pass. Report adopted.

Adverse Committee Reports

JUDICIARY (Scully, Chairman): 1/31/79
HB 389, do not pass.

SPECIAL ORDERS OF THE DAY

Questions were asked on SB 5.

Dussault moved that the House adjourn until 2:30 p.m., February 1, 1979.

Motion carried.

House adjourned at 4:24 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

TWENTY-SIXTH LEGISLATIVE DAY

Helena, Montana
February 1, 1979

House Chambers
Capitol Building

House convened at 2:29 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Eudaily, Teague, Waldron, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Twenty-third Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/1/79
Correctly printed - HB 67, HB 112, HB 129, HB 141, HB 197, HB 278, HB 324, HB 340, HB 352, HB 358, HB 359, HB 369, HB 375, HB 396, HB 405, HJR 12, HJR 13, HJR 15.
Considered correctly engrossed - HB 176, HB 202, HB 253.
Correctly engrossed - HB 152.

Will be signed by the Speaker on adjournment, 2/1/79 - SB 38.

Delivered to the Governor for his approval at 11:13 a.m., 2/1/79 - HB 6.

Do Pass

FISH AND GAME (Staigmiller, Chairman): 2/1/79
HB 173, do pass. Report adopted.

JUDICIARY (Scully, Chairman): 2/1/79
HB 238, do pass. Report adopted.

STATEMENT OF INTENT RE: House Bill No. 238

This proposed amendment is intended to be codified as an integral part of MCA, Section 53-6-111. Possible constitutional questions (see Section 4) may arise in regard to this proposal. No adverse fiscal impact will be experienced by the State due to the adoption of this legislation.

The intent of House Bill 238 is to allow the Department to define by rule what specific activities in relation to the medical assistance program are fraudulent, abusive or improper and subject to certain penalties.

Federal regulations require SRS to suspend or terminate from the Medicaid Program any provider who has also been terminated from the Medicare Program. If the State fails or is unable to do so, it faces the loss of federal financial participation in Medicaid payments to providers who have been suspended or terminated from the Medicare Program. That federal participation amounts to 63 percent of the payments. If the Medicaid Program does not have the authority to suspend or terminate those providers, then we must continue paying them. Without federal funds, we would have to request additional funds from the State's general fund to pay those providers.

Other states have met with difficulties concerning the imposition of penalties or sanctions upon abusive providers. In response, some of them have passed legislation similar to that proposed here today. SRS believes House Bill 238 is necessary to prevent the wasteful use of Medicaid funds, to deter possible court challenges in the future, and to enable the State to

comply with federal regulations in order to ensure essential federal funding for the proper operation of the Medicaid Program.

/s/Scully

HB 432, introduced bill, be amended as follows:

1. Title, line 6.
Following: "AND"
Strike: "OTHER"
Following: "PROPERTIES"
Insert: "ADJACENT TO THE HIGHWAY"

2. Page 1, line 12.
Following: line 11
Strike: "other"
Following: "properties"
Insert: "adjacent to the highway"

3. Page 1, line 15.
Following: "areas, or"
Strike: "other"
Following: "properties"
Insert: "adjacent to the highway"

And as amended, do pass. Report adopted.

HB 438, do pass. Report adopted.

Adverse Committee Reports

FISH AND GAME (Staigmiller, Chairman): 2/1/79
HB 153, do not pass.

JUDICIARY (Scully, Chairman): 2/1/79
HB 426, do not pass.

Underdal, Hand, Staigmiller, Wyrick, Conroy, Ellerd, Kropp, Seifert, Jensen, Burnett objected that HB 177 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

Keedy, Kemmis, Anderson, Marks, Pavlovich, Harper, Nordtvedt, Bertelsen, Fabrega, Hirsch objected that HB 389 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

On motion by Williams, the Adverse Committee Report on HB 33 was adopted by the following vote: (87-6)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manuel, Marks, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Uhde, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 87

Noes: Bennett, Holmes, Kanduch, Pavlovich, Seifert, Underdal.

Total 6

Excused: Eudaily, Teague, Waldron.
Total 3

Absent or not voting: Hirsch, Manning, Menahan, Tropila.
Total 4

MESSAGES FROM THE OTHER HOUSE

Senate failed to concur in House Amendments to Senate Bill No. 78, 1/31/79.

Senate requested the House to appoint a committee to confer on House Amendments to Senate Bill No. 78.

The President appointed the following members:

Senator Turnage, Chairman
Senator Van Valkenburg
Senator Bob Brown

Senate Bills passed and transmitted to the House for concurrence: 1/31/79

Senate Bill No. 90, introduced by Hazelbaker

Senate Bill No. 115, introduced by Fasbender

Senate Bill No. 144, introduced by Van Valkenburg

House Bills concurred in and returned to the House: 1/31/79

House Bill No. 52, introduced by Lund

House Bill No. 95, introduced by Scully

Senate Bills passed as amended and transmitted to the House for concurrence: 1/31/79

Senate Bill No. 117, introduced by Himsl, Olson, Lockrem, Severson

Senate Bill No. 140, introduced by Mehrens, Peterson, et al

House Amendments to Senate Bill concurred in: 1/31/79

House Amendments to Senate Bill No. 4, introduced by Galt

House Bill and House Joint Resolution concurred in and returned to the House for concurrence in Senate Amendments: 1/31/79

House Bill No. 96, introduced by K. Robbins, Thoft

House Joint Resolution No. 2, introduced by Scully

MOTIONS

Dussault moved that HB 198 be taken off Second Reading and pass consideration for the day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 500, introduced by Lory, Scully. Referred to Committee on Judiciary.

HB 501, introduced by Dassinger, Towe, Teague, Gilligan, Bengtson, Day, Staigmiller, Williams, Johnson, Manning, Reichert, Oberg,

Dozier, Magone, Johnston, Keedy. Referred to Committee on Taxation.

HB 502, introduced by Vincent, Tropila, Gerke, Dussault, Scully. Referred to Committee on Business and Industry.

HB 503, introduced by Burnett. Referred to Committee on Business and Industry.

HB 504, introduced by Hand, Day, Keyser. Referred to Committee on Appropriations.

HB 505, introduced by Lund, Gesek, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Judiciary.

HB 506, introduced by H. Robbins. Referred to Committee on Judiciary.

HB 507, introduced by Porter, Scully, Gerke. Referred to Committee on Appropriations.

HB 508, introduced by Porter, Scully, Gerke. Referred to Committee on Appropriations.

HB 509, introduced by Yardley, Fagg. Referred to Committee on Taxation.

HB 510, introduced by Huennekens, Sivertsen, Vincent. Referred to Committee on Taxation.

HB 511, introduced by Huennekens, Gerke, Regan. Referred to Committee on Business and Industry.

HB 512, introduced by Gerke, Dussault, Vincent. Referred to Committee on Taxation.

HB 513, introduced by Vincent. Referred to Committee on State Administration.

HB 514, introduced by Ramirez, Porter. Referred to Committee on Judiciary.

The following Senate bills were introduced, read first time and referred to committees:

SB 90, introduced by Hazelbaker, (By Request of the Code Commissioner). Referred to Committee on State Administration.

SB 115, introduced by Fasbender, (By Request of the Office of Budget and Program Planning). Referred to Committee on State Administration.

SB 117, introduced by Himsl, Olson, Lockrem, Severson. Referred to Committee on Business and Industry.

SB 140, introduced by Mehrens, Peterson, Healy, Hafferman, Lowe, (By Request of the Department of Labor and Industry). Referred to Committee on Labor and Employment Relations.

SB 144, introduced by Van Valkenburg, (By Request of the Board of Housing). Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Marks in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Dussault moved that HB 114 pass consideration for the day. Motion carried.

That HB 125, second reading copy, be amended as follows: (87-4)

1. Page 3.
Following: line 6
Insert: "SECTION 7. THERE IS A NEW MCA SECTION THAT READS:

Property tax reduction. Local government units receiving money from the Montana state-local revenue sharing program will reduce their property taxes accordingly."
Renumber: subsequent section

And as amended, do pass. (64-31)

That HB 156 do pass. (79-11)

That HB 163 do pass. (89-0)

That HB 175, second reading copy, be amended as follows: (84-5)

1. Page 3, line 20.
Following: "enroll"
Insert: "or has been enrolled by special permission of the board of trustees under 20-5-101(3)"

2. Page 6.
Following: line 15
Insert: "(3) The trustees of any district shall be empowered to admit a child who does not meet the age requirements if in their judgment there are exceptional circumstances which merit waiving the age provision of this section."

3. Page 6, line 24.
Following: "conducted"
Insert: "or has been enrolled by special permission of the board of trustees"

4. Page 7, line 7.
Following: "calculation"
Insert: "or has been enrolled by special permission of the board of trustees"

And as amended, do pass. (91-2)

That HB 199 do pass. Motion failed. (32-64)

That HB 199 do not pass. (66-29)

That HB 217 do pass. (93-1)

That HB 231 do pass. (93-2)

That HB 283, second reading copy, be amended as follows: (86-1)

1. Page 1, line 19.
Following: "(2)"
Strike: "CONTINUING"

And as amended do pass. (93-1)

That HJR 7 do pass. (79-10)

That the Committee rise and report. (Marks, Chairman). Report adopted. (87-4)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 34 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bennett, Bertelsen, Brand, Conroy, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Seifert, Shelden, Sivertsen, South, Staigmiller, Tropila, Underdal, Vincent, Vinger, Williams, Yardley, Mr. Speaker.
Total 71

Noes: Bengtson, Burnett, Curtiss, Donaldson, Ellerd, Ellison, Ernst, Kropp, Kvaalen, Lory, Nathe, Roth, Sales, Schultz, Smith, Spilker, Stobie, Thoft, Wood, Wyrick.
Total 20

Excused: Eudaily, Teague, Waldron.
Total 3

Absent or not voting: Bardanouve, Fagg, Keyser, Lien, Scully, Uhde.
Total 6

House Bill No. 104 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Burnett, Curtiss, Pistoria.
Total 3

Excused: Eudaily, Teague, Waldron.
Total 3

Absent or not voting: Bardanouve, Fagg, Scully, Sivertsen.
Total 4

House Bill No. 142 failed to pass by the following vote:

Ayes: Anderson, Bertelsen, Cooney, Curtiss, Daily, Dassinger, Dozier, Ellison, Fagg, Feda, Gesek, Gould, Hand, Harrington, Hayne, Hemstad, Jensen, Johnson, Johnston, Kanduch, Kessler, McBride, Manuel, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Sales, Seifert, Sivertsen, Spilker, Staigmiller, Stobie, Tropila, Vincent, Vinger, Wood.
Total 43

Noes: Azzara, Baeth, Bengtson, Bennett, Brand, Burnett, Conroy, Day, Donaldson, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Frates, Gilligan, Harper, Hirsch, Holmes, Huennekens, Iverson, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Marks, Menahan, Metcalf, Oberg, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Shelden, Smith, South, Thoft, Uhde, Underdal, Williams, Wyrick, Yardley, Mr. Speaker.
Total 52

Paired: Vincent, Aye; Eudaily, No.

Excused: Teague, Waldron.
Total 2

Absent or not voting: Bardanouve, Hurwitz, Scully.
Total 3

Consent Calendar

Senate Bill No. 5 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Jensen.
Total 1

Excused: Eudaily, Teague, Waldron.
Total 3

Absent or not voting: Burnett, Keedy, Oberg, Scully.
Total 4

MOTIONS

Brand moved that HB 491 be rereferred from the Committee on Taxation to the Committee on State Administration. Motion carried.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/1/79
Correctly engrossed - HB 248.
Correctly printed - HB 316, HB 413.

Do Pass

BUSINESS AND INDUSTRY (Quilici, Chairman): 2/1/79
HB 241, do pass. Report adopted.
HB 292, introduced bill, be amended as follows:

1. Title, line 10.
Following: "MCA"
Insert: "; AND PROVIDING AN EFFECTIVE DATE"

2. Page 3.
Following: line 6
Insert: "Section 5. Effective date. This act is effective December 31, 1979."

And as amended, do pass. Report adopted.

HJR 16, do pass. Report adopted.

Adverse Committee Reports

BUSINESS AND INDUSTRY (Quilici, Chairman): 2/1/79
HB 281, do not pass.

FISH AND GAME (Staigmiller, Chairman): 2/1/79
HB 164, do not pass.

SPECIAL ORDERS OF THE DAY

Consent Calendar

Questions were asked on SB 48.

Dussault moved that the House adjourn until 2:30 p.m., February 2, 1979.

Motion carried.

House adjourned at 4:37 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

TWENTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
February 2, 1979

House Chambers
Capitol Building

House convened at 2:31 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Eudaily, Hurwitz, Kanduch, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/2/79
Considered correctly engrossed - HB 156, HB 163, HB 217, HB 231, HJR 7.
Correctly printed - HB 173, HB 177, HB 241, HB 389, HB 438, HJR 16.

Signed by the Speaker on adjournment, 2/1/79 - SB 38.

Do Pass

JUDICIARY (Scully, Chairman): 2/2/79
HB 424, introduced bill, be amended as follows:

1. Page 5, line 13.
Following: "residences"
Strike: "or property owners"

2. Page 5, line 18.
Strike: "within the district, if"
Strike: line 19 in its entirety

3. Page 5, line 20.
Following: "within"
Strike: "such"
Insert: "the"

And as amended do pass. Report adopted.

HB 443, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Williams, Chairman): 2/1/79
HB 189, do pass. Report adopted.
HB 290, do pass. Report adopted.

STATE ADMINISTRATION (Brand, Chairman): 2/1/79
HB 442, introduced bill, be amended as follows:

1. Title, lines 4 and 5.
Following: "THE"
Strike: "MINIMUM AND"

2. Page 1, line 12.
Following: "~~$12,500~~"
Strike: "$19,000"
Insert: "$12,500"
Following: "~~$16,000~~"
Strike: "$25,000"
Insert: "$22,000"

And as amended, do pass. Report adopted.

TAXATION (Huennekens, Chairman): 2/1/79
HB 60, do pass. Report adopted.
HB 128, do pass. Report adopted.
HB 363, do pass. Report adopted.
HB 370, introduced bill, be amended as follows:

1. Page 1, line 11.
Following: "county"
Strike: "treasurer"
Insert: "assessor"

And as amended, do pass. Report adopted.

HB 407, do pass. Report adopted.

Adverse Committee Reports

BUSINESS AND INDUSTRY (Quilici, Chairman): 2/2/79
HB 277, do not pass.

LABOR AND EMPLOYMENT RELATIONS (Williams, Chairman): 2/1/79
HB 200, do not pass.

TAXATION (Huennekens, Chairman): 2/1/79
HB 252, do not pass.

Moore, Wood, Hurwitz, Marks, Ellerd, Kropp, Ellison, Ernst, Smith, Donaldson objected that HB 426 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

On motion by Staigmiller, the Adverse Committee Report on HB 153 was adopted by the following vote: (73-18)

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Fagg, Feda, Frates, Gesek, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Iverson, Jensen, Johnston, Kemmis, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Seifert, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 73

Noes: Anderson, Donaldson, Ellerd, Fabrega, Gilligan, Huennekens, Johnson, Keedy, Keyser, Kvaalen, Moore, Ramirez, Sivertsen, Teague, Tropila, Uhde, Underdal, Waldron.
Total 18

Excused: Eudaily, Hurwitz, Kanduch.
Total 3

Absent or not voting: Bennett, Dozier, Kessler, Roth, Scully, Shelden.
Total 6

Consent Calendar

Bills unanimously passed in committee and unanimously placed on Consent Calendar:

LABOR AND EMPLOYMENT RELATIONS (Williams, Chairman): 2/1/79

HB 323, do pass. Report adopted.

STATE ADMINISTRATION (Brand, Chairman): 2/1/79
HB 421, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House Bill concurred in and returned to the House: 2/1/79

House Bill No. 88, introduced by Waldron

Senate Bills passed on Third Reading Consent Calendar and transmitted to the House for concurrence: 2/1/79

Senate Bill No. 9, introduced by Hazelbaker

Senate Bill No. 10, introduced by Hazelbaker

Senate Bill No. 64, introduced by Hazelbaker, et al

Senate Bill No. 85, introduced by Kolstad, et al

Senate Bill No. 179, introduced by Hager, Kessler

Senate Bill No. 201, introduced by Lowe, Mathers, Thiessen, Galt

Senate Bills passed as amended and transmitted to the House for concurrence: 2/1/79

Senate Bill No. 114, introduced by Fasbender

Senate Bill No. 200, introduced by Norman, Kemmis

MOTIONS

Fabrega moved that HJR 15, currently on Second Reading, pass consideration until the Fortieth Legislative Day. Motion carried. (70-23)

Dussault moved that HJR 12 be placed at the top of the Second Reading board for consideration. Motion carried.

Dussault moved that the Speaker be authorized to appoint a conference committee of three to meet with a like committee from the Senate on House Amendments to SB 78. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 515, introduced by O'Connell. Referred to Committee on Labor and Employment Relations.
HB 516, introduced by Lund. Referred to Committee on Education and Cultural Resources.
HB 517, introduced by Keedy, Keyser, Day, Anderson, Conroy, Seifert, Teague, Pavlovich, Daily, Curtiss, Roth, Iverson, Sivertsen, Nordtvedt, Fabrega, Marks. Referred to Committee on Judiciary.
HB 518, introduced by Cooney, (By Request of the Department of Justice). Referred to Committee on Judiciary.
HB 519, introduced by Scully. Referred to Committee on Judiciary.
HB 520, introduced by Kemmis, Ellis, Shelden. Referred to Committee on Taxation.
HB 521, introduced by Nathe, Lund. Referred to Committee on Agriculture, Livestock and Irrigation.

HB 522, introduced by Cooney, Jergeson, Bardanouve, Thiessen, Vincent, Stimatz, Metcalf, Harper, Blaylock, Dussault, South, Manning, Quilici, H. Robbins, Oberg, Gerke, Harrington, Brand, Daily, Pavlovich, Gilligan, Bengtson, Kessler, Shelden, McBride, Johnson, Fasbender, Dozier, Kemmis, Hand. Referred to Committee on State Administration.

HB 523, introduced by Teague, Lien, Burnett, Iverson, K. Robbins. Referred to Committee on Taxation.

HB 524, introduced by Dassinger, Feda. Referred to Committee on Taxation.

HB 525, introduced by Yardley, Dussault, Gilligan. Referred to Committee on Education and Cultural Resources.

HB 526, introduced by Nordtvedt, Huennekens, Kessler, Cooney, Fagg. Referred to Committee on Business and Industry.

HB 527, introduced by Keedy, Daily, Day, Dassinger, Huennekens, Anderson, Gilligan, Lory, Manuel, Hirsch. Referred to Committee on Labor and Employment Relations.

HB 528, introduced by South, Bardanouve. Referred to Select Committee on Employee Compensation.

HB 529, introduced by Daily, Johnston. Referred to Committee on Business and Industry.

HB 530, introduced by Bardanouve. Referred to Committee on Judiciary.

HB 531, introduced by Sales. Referred to Committee on State Administration.

HB 532, introduced by Pavlovich, Daily, Harrington, Cooney, Quilici, Magone, Johnston, Menahan, Gilligan, McBride. Referred to Committee on Education and Cultural Resources.

HB 533, introduced by Metcalf, Burnett, Vincent, Staigmiller, Holmes, Harper, Spilker, Donaldson, Marks. Referred to Committee on State Administration.

HB 534, introduced by McBride, Fagg, Kemmis, Vincent. Referred to Committee on Natural Resources.

HB 535, introduced by Johnston, Lien, Burnett, Pavlovich. Referred to Committee on Local Government.

HB 536, introduced by Burnett. Referred to Committee on State Administration.

HB 537, introduced by Williams, E. Smith, Schultz, Anderson, Porter, Keyser, Huennekens, Kessler, Menahan, Day, Tropila, Quilici. Referred to Committee on Education and Cultural Resources.

HJR 25, introduced by Menahan, Brand, Manning. Referred to Committee on Labor and Employment Relations.

The following Senate bills were introduced, read first time and referred to committees:

SB 9, introduced by Hazelbaker, (By Request of the Commissioner of Insurance). Referred to Committee on Business and Industry.

SB 10, introduced by Hazelbaker, Lowe, Dover, (By Request of the Commissioner of Insurance). Referred to Committee on Business and Industry.

SB 64, introduced by Hazelbaker, Lowe, Kolstad, (By Request of the Commissioner of Insurance). Referred to Committee on Business and Industry.

SB 85, introduced by Kolstad, Peterson, Blaylock, (By Request of the Commissioner of Insurance). Referred to Committee on Business and Industry.

SB 114, introduced by Fasbender, (By Request of the Office of Budget and Program Planning). Referred to Committee on State Administration.

SB 179, introduced by Hager, Kessler. Referred to Committee on Highways and Transportation.

SB 200, introduced by Norman, Kemmis, (By Request of the Department of Revenue). Referred to Committee on Taxation.

SB 201, introduced by Lowe, Mathers, Thiessen, Galt, Kolstad. Referred to Committee on Business and Industry.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 152 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bertelsen, Brand, Cooney, Daily, Dassinger, Day, Dussault, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gould, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnson, Johnston, Kemmis, Kessler, Lund, McBride, Manning, Manuel, Metcalf, Meyer, Nathe, Oberg, Pavlovich, Quilici, Reichert, H. Robbins, Rosenthal, Schultz, Shelden, South, Spilker, Teague, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Yardley, Mr. Speaker.
Total 53

Noes: Bengtson, Bennett, Conroy, Curtiss, Donaldson, Ellerd, Ellis, Ellison, Gilligan, Hand, Hayne, Hemstad, Iverson, Keyser, Kropp, Kvaalen, Lien, Lory, Magone, Marks, Menahan, Nordtvedt, Pistoria, Porter, Ramirez, K. Robbins, Roth, Sales, Scully, Seifert, Sivertsen, Smith, Staigmiller, Stobie, Thoft, Uhde, Wood, Wyrick.
Total 38

Excused: Eudaily, Hurwitz, Kanduch.
Total 3

Absent or not voting: Azzara, Burnett, Dozier, Keedy, Moore, O'Connell.
Total 6

House Bill No. 176 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Eudaily, Hurwitz, Kanduch.
Total 3

Absent or not voting: Burnett, Dozier, Moore.
Total 3

House Bill No. 202 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Uhde.
Total 1

Excused: Eudaily, Hurwitz, Kanduch.
Total 3

Absent or not voting: Burnett, Dozier, Scully.
Total 3

House Bill No. 248 was passed by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bertelsen, Brand, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Iverson, Jensen, Johnston, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 75

Noes: Azzara, Bardanouve, Bennett, Cooney, Dussault, Frates, Harper, Holmes, Huennekens, Johnson, Keedy, Kemmis, Metcalf, Oberg, Reichert, Shelden, Uhde, Vincent, Waldron.
Total 19

Excused: Eudaily, Hurwitz, Kanduch.
Total 3

Absent or not voting: Burnett, Dozier, Smith.
Total 3

House Bill No. 253 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South,

Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Eudaily, Hurwitz, Kanduch.
Total 3

Absent or not voting: Burnett, Dozier.
Total 2

Consent Calendar

Senate Bill No. 48 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Gilligan, Moore, Scully, Tropila.
Total 4

Excused: Eudaily, Hurwitz, Kanduch.
Total 3

Absent or not voting: Burnett, Dozier, Keedy, South.
Total 4

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Scully in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HJR 12 do pass. (80-11)

That HB 67 do pass. (80-8)

That HB 112 do pass. (88-5)

That HB 114 do pass. Motion failed. (26-62)

That HB 114 do not pass. (69-21)

That HB 129 do pass. Motion failed. (36-57)

That HB 129 do not pass. (60-32)

That HB 141 do pass. (84-2)

That HB 197 do pass. (88-2)

That HB 198 do pass. Motion failed. (37-49)

That HB 198 do not pass. (51-35)

Keedy moved that HB 278 be placed on the bottom of the board. Motion carried.

That HB 316 do pass. (82-2)

That HB 324 do pass. (86-4)

That HB 340 do pass. (90-1)

That HB 352 do pass. (82-8)

That HB 358 do pass. (60-32)

That HB 359 do pass. (78-12)

That HB 369 do pass. (85-0)

That HB 396 do pass. (68-25)

That HB 405 do pass. (86-0)

That HB 413 do pass. (87-0)

That HJR 13 do pass. (83-4)

Bardanouve moved that HB 278 pass consideration for the day. Motion carried.

That SA to HB 96 be concurred in. (83-0)

That SA to HJR 2 be concurred in. (90-0)

Harper moved that HB 129 be segregated from the Committee of the Whole Report. Motion carried. (87-5)

That the Committee rise and report. (Scully, Chairman). And as amended, report adopted. (90-4)

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/2/79
Correctly printed - HB 238, HB 292, HB 432.
Correctly engrossed - HB 125, HB 175, HB 283.
Correctly enrolled - HB 5.

Examined by the Sponsor and found to be correct - HB 5.

Will be signed by the Speaker on adjournment, 2/2/79 - HB 5.

Do Pass

LABOR AND EMPLOYMENT RELATIONS (Williams, Chairman): 2/1/79

HB 306, introduced bill, be amended as follows:

1. Page 2, lines 2 and 3.
Following: "terminated."
Strike: remainder of lines 2 and 3 in their entirety

2. Page 2, lines 4 through 9.
Following: "(4)"
Strike: remainder of lines 4 through 9 in their entirety
Insert: "Any order terminating benefits may only be issued after the claimant has an opportunity for a hearing before a workers' compensation judge regarding the feasibility and appropriateness of the rehabilitation program. After the hearing, the judge may approve or deny the division's determination regarding the feasibility or appropriateness of the proposed rehabilitation program."

3. Page 2, lines 10 through 12.
Following: "(5)"
Strike: remainder of lines 10 through 12 in their entirety
Insert: "If a claimant does not request a hearing and benefits are terminated, and subsequently the claimant requests a hearing, the claimant is entitled to retroactive weekly benefits for a maximum of 8 weeks from the date of request for hearing, and to continued weekly benefits pending a decision by the workers' compensation judge."

And as amended, do pass. Report adopted.

Adverse Committee Reports

On motion by Staigmiller, the Adverse Committee Report on HB 164 was adopted by the following vote: (78-14)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Hayne, Hemstad, Hirsch, Holmes, Iverson, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 78

Noes: Brand, Cooney, Dussault, Harper, Harrington, Huennekens, McBride, Metcalf, Pavlovich, Ramirez, Teague, Tropila, Uhde, Waldron.
Total 14

Excused: Eudaily, Hurwitz, Kanduch.
Total 3

Absent or not voting: Burnett, Fagg, Jensen, Scully, Seifert.
Total 5

On motion by Quilici, the Adverse Committee Report on HB 281 was adopted by the following vote: (77-15)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Feda, Frates, Gesek, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Johnson, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Thoft, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.

Total 77

Noes: Brand, Fabrega, Gilligan, Johnston, Keyser, Manuel, Marks, Menahan, Oberg, Pavlovich, Quilici, Stobie, Teague, Tropila, Waldron.
Total 15

Excused: Eudaily, Hurwitz, Kanduch.
Total 3

Absent or not voting: Burnett, Fagg, Hand, Jensen, Seifert.
Total 5

Consent Calendar

Bill unanimously passed in committee and unanimously placed on Consent Calendar:

LABOR AND EMPLOYMENT RELATIONS (Williams, Chairman):
2/1/79

HB 214, introduced bill, be amended as follows:

1. Page 2, line 21.
Following: line 20
Strike: "(3)"
Insert: "(2)"

2. Page 4.
Following: line 9
Insert: "(h) provision that if an employer is unable to fulfill his obligation under the apprenticeship agreement, he may transfer the obligation to another employer if the other employer has been approved as a training facility;"
Renumber: subsequent subsections

3. Page 4, line 11.
Following: "journeymen"
Strike: ";"
Insert: ". The department will continue to honor and recognize ratio provisions as established in existing labor/management bargaining agreements."

And as amended, do pass. Report adopted.

UNFINISHED BUSINESS

The Speaker appointed the following conference committee of three to meet with a like committee from the Senate on House Amendments to Senate Bill 78:

Scully, Chairman
Keedy
Lory

MOTIONS

Bardanouve moved that HB 278 be taken off Second Reading and referred to the Committee on Judiciary. Motion carried.

Harper moved that HB 129 be taken off Second Reading and referred to Committee on Labor and Employment Relations. Motion carried.

SPECIAL ORDERS OF THE DAY

Consent Calendar

Questions were asked on HB 375.

Dussault moved that the House adjourn until 9:00 a.m., February 3, 1979.

Motion carried.

House adjourned at 5:57 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

TWENTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
February 3, 1979

House Chambers
Capitol Building

House convened at 9:01 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Brand, Burnett, Eudaily, Hurwitz, Jensen, Kanduch, Seifert, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/3/79

Correctly printed - HB 128, HB 189, HB 290, HB 323, HB 363, HB 407, HB 421, HB 426, HB 443.

Considered correctly engrossed - HB 67, HB 112, HB 141, HB 197, HB 316, HB 324, HB 340, HB 352, HB 358, HB 359, HB 369, HB 396, HB 405, HB 413, HJR 12, HJR 13.

Correctly enrolled - HB 52, HB 95.

Examined by the Sponsor and found to be correct - HB 52, HB 95.

Will be signed by the Speaker on adjournment, 2/3/79 - HB 52, HB 95.

Signed by the Speaker on adjournment, 2/2/79 - HB 5.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Metcalf, Chairman): 2/3/79

Recommend that the following be employed by the House of Representatives for the 46th Session at the beginning of business February 5th, 1979:

Scott Keller ..... Page
Stephany Ross ..... Page
Corrine Kaschube ..... Page
Cam White ..... Page
John Fabrega ..... Page
Julie Rathert ..... Page

At the beginning of business February 7, 1979, the following also be employed:

David Ransier ..... Page
Gina Patton ..... Page

At the close of business, February 3, 1979, the following also be terminated:

Elizabeth A. Kleinert ..... Page
Sharon Olson ..... Page
Jody Lee Brown ..... Page
Ann E. Deegan ..... Page
Teri L. Schuman ..... Page
Sheila M. Jenkins ..... Page

At the close of business, February 6, 1979, the following also be terminated:

Julie Anne Strange ..... Page
Will Kussman ..... Page

MESSAGES FROM THE OTHER HOUSE

House Bills concurred in as amended and returned to the House for concurrence in Senate Amendments: 2/2/79

House Bill No. 40, introduced by Metcalf

House Bill No. 55, introduced by Uhde

House Bill No. 167, introduced by Kvaalen

Senate Bills passed as amended and transmitted to the House for concurrence: 2/2/79

Senate Bill No. 123, introduced by Lowe, Kolstad, Fasbender, Hazelbaker

Senate Bill No. 141, introduced by Mehrens, Peterson, et al

House Bill concurred in and returned to the House: 2/2/79

House Bill No. 165, introduced by Kvaalen

Senate Bill passed on Third Reading Consent Calendar and transmitted to the House for concurrence: 2/2/79

Senate Bill No. 154, introduced by Manning

Senate Bill passed and transmitted to the House for concurrence: 2/2/79

Senate Bill No. 197, introduced by Van Valkenburg, Regan

MOTIONS

Lory moved that HB 162 be taken from Second Reading and passed to the Thirty-second Legislative Day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 538, introduced by Pistoria, Manning, Ryan, Fabrega, Burnett, Kanduch. Referred to Committee on State Administration.

HB 539, introduced by Gilligan, Scully. Referred to Committee on Judiciary.

HB 540, introduced by Manning, Menahan, Magone, Manuel, Kvaalen, C. Smith, Johnston, Ernst, Hurwitz, Dozier, Meyer. Referred to Committee on Labor and Employment Relations.

HB 542, introduced by Tropila, Ryan, Hemstad, Fabrega, Moore, Daily, Gould, Keyser, Sales, Meyer, Gilligan, Kolstad, Rosenthal, Pistoria, Hurwitz, Cooney, O'Connell, Manning, Brand, Staigmiller, Reichert, Scully, Goodover, Dussault, Quilici, Teague, Vincent, Smith, Nathe, Metcalf, Harrington, Pavlovich, Stobie, Hand, O'Hara, Schultz, R. Anderson, Fagg, Conroy, Uhde, Frates, Dozier, Hirsch, Magone, Ellis, Lory, Underdal, Vinger, Donaldson, Iverson, Thoft, Seifert, Jensen, Feda, Porter, Kropp, Wyrick, Burnett, Williams, Ernst, Gesek, Nordtvedt, Curtiss, Ellerd, Bennett, Harper, Kemmis, Huennekens, Holmes, Shelden, Lien, Johnston, Manuel, Menahan, Palmer, Galt, Lowe, Jergeson, Stimatz, Peterson, Baeth, McBride, Day, Marks, Kanduch, Roskie, E. Smith, Hager, Roth, Ellis, Azzara, McCallum, Dover, Rasmussen, Oberg, Severson, Manley, M. Anderson, Conover, Dassinger, Keedy, Mehrens, H. Robbins, Norman, Graham, Boylan,

Olson, Hafferman, Thomas, Healy, Van Valkenburg. Referred to Committee on Appropriations.

HB 543, introduced by Teague, Bardanouve, Kemmis, Menahan, Vincent, H. Robbins, Ryan. Referred to Committee on Taxation.

HB 544, introduced by Donaldson, Keyser, Gould. Referred to Committee on Highways and Transportation.

HB 545, introduced by Conroy. Referred to Committee on Business and Industry.

HB 546, introduced by Dassinger, Huennekens, (By Request of the Office of Budget and Program Planning and the Department of Highways). Referred to Committee on Taxation.

HB 547, introduced by Daily, Lory, Hand, Menahan, Pavlovich, Gould, Staigmiller, K. Robbins, Quilici, South, Harrington, Kanduch, Johnston, Scully, Keyser, Tropila, Bengtson, Hemstad. Referred to Committee on Taxation.

HB 548, introduced by Harper. Referred to Committee on Labor and Employment Relations.

HB 549, introduced by Scully, (By Request of the Department of Revenue). Referred to Committee on Judiciary.

HB 550, introduced by Scully, Dussault, Fagg, Vincent, Ramirez, Marks. Referred to Committee on Taxation.

HB 551, introduced by Jensen, Ellison, Nathe, R. Anderson, Keyser. Referred to Committee on State Administration.

HB 552, introduced by Fagg, Porter, Ramirez, Sivertsen, Vincent, Dussault, Huennekens, Kemmis. Referred to Committee on State Administration.

HB 553, introduced by O'Connell, Quilici, Moore, Daily, Fabrega, Harrington, Tropila. Referred to Committee on State Administration.

HB 554, introduced by Vincent, Brand, Kemmis, Shelden. Referred to Committee on Natural Resources.

HB 555, introduced by Hand, Daily, Conroy, Lien, O'Connell. Referred to Committee on Natural Resources.

HB 556, introduced by Day, Wood, Kvaalen. Referred to Committee on Appropriations.

HB 557, introduced by Uhde, Harper, Ramirez, Conroy, Gesek, C. Smith, Oberg, Gilligan, H. Robbins, Pistoria, Bengtson, Reichert, O'Connell, Keedy, Kemmis, Rosenthal, Teague, Fabrega. Referred to Committee on Business and Industry.

HB 558, introduced by Bardanouve. Referred to Committee on State Administration.

HB 559, introduced by Johnston, Pavlovich, Manning, Dozier, Baeth, Lien. Referred to Committee on Local Government.

HB 560, introduced by Reichert, Goodover, Brand, Oberg, Gilligan, Holmes, Frates, Harper, Fagg, Kolstad, Shelden, Keedy, Harrington, Keyser, Ellis, Daily, Johnson, Baeth, Huennekens, Cooney, Metcalf, K. Robbins, Mehrens, Menahan, Dussault, Quilici, Healy, Peterson. Referred to Committee on Judiciary.

HB 561, introduced by Kvaalen. Referred to Committee on State Administration.

HB 563, introduced by Dozier, Manning. Referred to Committee on Natural Resources.

HB 564, introduced by Dozier. Referred to Committee on Labor and Employment Relations.

HJR 26, introduced by Donaldson, Kropp, Conroy, Vinger, Sales, Feda, Marks, Fabrega, Spilker, Hayne, Stobie, Underdal, Ellis, Ellison, Schultz, Hurwitz, Roth, Iverson, Thoft, Burnett, Wyrick, Nordtvedt, Tropila, Staigmiller, Ernst, Curtiss, Gesek, Wood. Referred to Committee on Natural Resources.

HJR 27, introduced by Fagg, Shelden. Referred to Committee on Natural Resources.

HJR 28, introduced by Gerke, Ramirez, Williams, Fagg, Conroy, Huennekens, Dozier, Kessler, Porter, Holmes, Bengtson, Frates, Teague. Referred to Committee on Appropriations.

The following Senate bills were introduced, read first time and referred to committee:

SB 123, introduced by Lowe, Kolstad, Fasbender, Hazelbaker, (By Request of the Capitol Building and Planning Committee). Referred to Committee on State Administration.

SB 141, introduced by Mehrens, Peterson, Healy, Hafferman, Lowe, (By Request of the Department of Labor and Industry). Referred to Committee on Labor and Employment Relations.

SB 154, introduced by Manning, (By Request of the Attorney General). Referred to Committee on Highways and Transportation.

SB 197, introduced by Van Valkenburg, Keyser. Referred to Committee on Judiciary.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Teague in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Dussault moved that HB 173 be placed on the bottom of the board. Motion carried.

That HB 177 do pass. (50-48)

House recessed at 10:10 a.m.

House reconvened at 11:08 a.m.

Iverson excused at this time.

That HB 241 do pass. (85-0)

Scully excused at this time.

That HB 251, as previously amended, do pass. (52-37)

Dussault moved that the Committee rise and report. (53-28) Ramirez made a substitute motion to segregate HB 177, and as amended, that the Committee of the Whole Report be adopted.

Dussault moved that Ramirez's motion be divided and a vote taken on the segregation and a vote on the adoption of the report. Ellerd then moved that HB 251 be segregated from the Committee of the Whole Report. After considerable discussion, Ramirez withdrew his previous motion and moved that HB 177 be segregated from the Committee of the Whole Report. Motion carried. (74-9) Ellerd's motion then failed. (38-48) Thereupon, the Committee of the Whole Report was adopted as amended. (Teague, Chairman). (72-12)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 156 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 78

Noes: Bengtson, Ellerd, Hayne, Nathe, Smith, Stobie, Thoft, Underdal, Wood.
Total 9

Excused: Brand, Burnett, Eudaily, Hurwitz, Iverson, Jensen, Kanduch, Scully, Seifert.
Total 9

Absent or not voting: Feda, Lund, Porter, Vinger.
Total 4

House Bill No. 163 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Conroy, Cooney, Curtiss, Daily, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 86

Noes: Day.
Total 1

Excused: Brand, Burnett, Eudaily, Hurwitz, Iverson, Jensen, Kanduch, Scully, Seifert.
Total 9

Absent or not voting: Bennett, Dassinger, Feda, Porter.
Total 4

House Bill No. 217 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning,

Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 87

Noes: Yardley.
Total 1

Excused: Brand, Burnett, Eudaily, Hurwitz, Iverson, Jensen, Kanduch, Scully, Seifert.
Total 9

Absent or not voting: Feda, Nordtvedt, Porter.
Total 3

House Bill No. 231 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 85

Noes: Azzara, Ellerd, Menahan.
Total 3

Excused: Brand, Burnett, Eudaily, Hurwitz, Iverson, Jensen, Kanduch, Scully, Seifert.
Total 9

Absent or not voting: Feda, Porter, Ramirez.
Total 3

House Joint Resolution No. 7 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Huennekens, Johnson, Johnston, Keedy, Kemmis, Kessler, Kvaalen, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Shelden, Sivertsen, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Vincent, Vinger, Williams, Wyrick, Yardley, Mr. Speaker.
Total 73

Noes: Bertelsen, Conroy, Ellerd, Ellison, Keyser, Kropp, Lien, Moore, Roth, Sales, Smith, Thoft, Underdal, Waldron.
Total 14

Excused: Brand, Burnett, Eudaily, Hurwitz, Iverson, Jensen, Kanduch, Scully, Seifert.

Total 9

Absent or not voting: Feda, Hirsch, South, Wood.
Total 4

Senate Amendments to House Bill No. 96 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: None.
Total 0

Excused: Brand, Burnett, Eudaily, Hurwitz, Iverson, Jensen, Kanduch, Scully, Seifert.
Total 9

Absent or not voting: Feda.
Total 1

Senate Amendments to House Joint Resolution No. 2 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: None.
Total 0

Excused: Brand, Burnett, Eudaily, Hurwitz, Iverson, Jensen, Kanduch, Scully, Seifert.
Total 9

Absent or not voting: Feda, Johnson.
Total 2

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/3/79
Correctly enrolled - HB 10.

Examined by the Sponsor and found to be correct - HB 10.

Will be signed by the Speaker on adjournment, 2/3/79 - HB 10.

Do Pass

TAXATION (Huennekens, Chairman): 2/3/79
HB 63, introduced bill, be amended as follows:

1. Page 1, line 18.
Following: "8"
Strike: "9"
Insert: "8"

2. Page 1, line 24.
Following: line 24
Insert: "(3) In addition to the tax imposed by subsection (1) of this section, there is levied an additional tax of 1 cent a gallon on each gallon of nonaviation gasoline to be allocated solely for the purpose of matching federal funds available for completion of the federal-aid interstate system as defined in 23 U.S.C. 103 and spent only after any existing highway construction and maintenance funds currently allocated and scheduled for use have been obligated. This additional tax of 1 cent a gallon expires July 1, 1983, or within 30 days of legislative termination of the federal interstate matching funds program, whichever comes first."

3. Page 2, line 1.
Following: "liquids."
Insert: "(1)"

4. Page 2, line 5.
Strike: "11"
Insert: "10"

5. Page 2.
Following: line 17
Insert: "(2) In addition to the tax imposed by subsection (1) of this section, there is levied an additional tax of 1 cent a gallon on each gallon of diesel fuel or other volatile liquid, except liquified petroleum gas, to be allocated solely for the purpose of matching federal funds available for completion of the federal-aid interstate system as defined in 23 U.S.C. 103 and spent only after any existing highway construction and maintenance funds currently allocated and scheduled for use have been obligated. This additional tax of 1 cent a gallon expires July 1, 1983, or within 30 days of legislative termination of the federal interstate matching funds program, whichever comes first."

And as amended, do pass. Report adopted.

MOTIONS

Ramirez moved that HB 177 be referred to the Committee on Labor and Employment Relations. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 541, introduced by Kvaalen. Referred to Committee on Judiciary.

HB 562, introduced by Dassinger, Towe, Day, Teague, Pistoria, Brand, H. Robbins, Lien, Frates, Staigmiller, Hirsch, Manning, Menahan, Williams. Referred to Committee on Judiciary.

Dussault moved that the House adjourn until 2:30 p.m., February 5, 1979.

Motion carried.

House adjourned at 12:28 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

TWENTY-NINTH LEGISLATIVE DAY

Helena, Montana
February 5, 1979

House Chambers
Capitol Building

House convened at 2:29 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Brand, Eudaily, excused; Daily, Lund, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Twenty-fourth, Twenty-fifth and Twenty-sixth Legislative Days, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/5/79
Correctly engrossed - HB 251.
Correctly printed - HB 60, HB 63, HB 214, HB 306, HB 370, HB 424, HB 442.
Considered correctly engrossed - HB 241.

Will be signed by the Speaker on adjournment, 2/5/79 - SB 4, SB 33, SB 73.

Signed by the Speaker on adjournment, 2/3/79 - HB 52, HB 95, HB 10.

Do Pass

LOCAL GOVERNMENT (H. Robbins, Chairman): 2/2/79
HB 193, do pass. Report adopted.
HB 268, do pass. Report adopted.
HB 276, do pass. Report adopted.
HB 288, introduced bill, be amended as follows:

1. Page 2, line 5.
Following: "Montana"
Insert: ", except on bonds sold on or before July 1, 1979,"

2. Page 3, line 5.
Following: "payable"
Strike: "annually"
Insert: "semiannually"

3. Page 3, line 24.
Following: "year"
Insert: "and on the first day of in each year"

And as amended, do pass. Report adopted.

HB 327, do pass. Report adopted.

BUSINESS AND INDUSTRY (Quilici, Chairman): 2/5/79
SB 89, be concurred in. Report adopted.

Adverse Committee Reports

BUSINESS AND INDUSTRY (Quilici, Chairman): 2/5/79
HB 285, do not pass.

On motion by Williams, the Adverse Committee Report on HB 200 was adopted by the following vote: (87-7)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 87

Noes: Burnett, Johnson, Kropp, Pistoria, Teague, Tropila, Underdal.
Total 7

Excused: Brand, Eudaily.
Total 2

Absent or not voting: Hurwitz, Lund, Nordtvedt, Scully.
Total 4

On motion by Huennekens, the Adverse Committee Report on HB 252 was adopted by the following vote: (71-16)

Ayes: Azzara, Baeth, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Gesek, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, O'Connell, Pavlovich, Pistoria, Porter, Quilici, H. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Vincent, Vinger, Williams, Wood, Yardley, Mr. Speaker.
Total 71

Noes: Anderson, Dussault, Harper, Holmes, Keedy, Kemmis, Metcalf, Oberg, Ramirez, Reichert, Seifert, Teague, Tropila, Uhde, Underdal, Waldron.
Total 16

Excused: Brand, Eudaily.
Total 2

Absent or not voting: Bardanouve, Burnett, Dassinger, Frates, Gilligan, Hurwitz, Lund, Nordtvedt, K. Robbins, Scully, Wyrick.
Total 11

On motion by Quilici, the Adverse Committee Report on HB 277 was adopted by the following vote: (86-7)

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, McBride, Magone, Manning, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert,

H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Yardley, Mr. Speaker.
Total 86

Noes: Kropp, Manuel, Roth, Seifert, Spilker, Waldron, Wyrick.
Total 7

Excused: Brand, Eudaily.
Total 2

Absent or not voting: Azzara, Hurwitz, Lund, Nordtvedt, Scully.
Total 5

MESSAGES FROM THE GOVERNOR

The Honorable Harold Gerke
Speaker of the House
State Capitol
Helena, Montana 59601

February 3, 1979

Dear Mr. Speaker:

This is to inform you that I have signed the following measures on February 3, 1979:

House Bill No. 6

Sincerely,

Thomas L. Judge
Governor

MESSAGES FROM THE OTHER HOUSE

House Bills passed on Third Reading Consent Calendar and returned to the House: 2/2/79

House Bill No. 4, introduced by Marks

House Bill No. 65, introduced by Uhde

House Bill No. 120, introduced by Hand, O'Connell, Ernst, et al

Senate Bills passed as amended and transmitted to the House for concurrence: 2/3/79

Senate Bill No. 80, introduced by Hazelbaker, Blaylock

Senate Bill No. 146, introduced by Hazelbaker

Senate Bill No. 149, introduced by Hazelbaker

Senate Bill No. 204, introduced by Aklestad, Kolstad, et al

Senate Bill No. 205, introduced by Aklestad, Kolstad, et al

Senate Bills passed and transmitted to the House for concurrence: 2/3/79

Senate Bill No. 75, introduced by Hazelbaker, Boylan

Senate Bill No. 82, introduced by Regan, Hager

Senate Bill No. 83, introduced by Dover, Blaylock

Senate Bill No. 92, introduced by Blaylock, Peterson, Mehrens, Kolstad

Senate Bill No. 94, introduced by Hazelbaker, Dover

MOTIONS

Huennekens moved that HB 63 be taken from Printing and referred to the Committee on Taxation for the purpose of attaching a Statement of Intent. Motion carried.

Quilici moved that HB 292 be taken from Second Reading and passed until the Thirty-first Legislative Day. Motion carried.

Vincent moved that HB 554 be rereferred from the Committee on Natural Resources to the Committee on Local Government. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 565, introduced by Kessler, Dozier, Metcalf, Oberg, Gerke, Kemmis, Huennekens, Dussault. Referred to Committee on Local Government.

HB 566, introduced by Vincent, Watt, Brand, Manning, Dozier, Kessler, Yardley, Gilligan, Nordtvedt, South, Huennekens, R. Anderson, Harrington, Menahan, Daily, Quilici. Referred to Committee on Business and Industry.

HB 567, introduced by Magone, Kanduch, Baeth, Moore, Oberg, Roth, Gesek, Meyer, Staigmiller, Bennett, Pistoria, Kropp, Dussault, Feda, Smith, O'Connell, Brand, Gerke, Quilici, Lory, Ellis, Cooney, Tropila, Metcalf, Kessler, Harrington, Gould, Hirsch, Rosenthal, Dozier, Hurwitz, Frates, K. Robbins, Hemstad, Holmes, Thoft, Ernst, Burnett, Lund, Williams, Keyser, Uhde, Hafferman, Manuel, Manning, Pavlovich, Shelden, Huennekens. Referred to Committee on State Administration.

HB 568, introduced by Scully. Referred to Committee on Judiciary.

HB 569, introduced by Iverson, Keyser. Referred to Committee on Judiciary.

HB 570, introduced by Menahan, (By Request of the Department of Business Regulation). Referred to Committee on State Administration.

HB 571, introduced by Menahan. Referred to Committee on State Administration.

HB 572, introduced by Manuel. Referred to Committee on Taxation.

HB 573, introduced by Roth, Jensen, Lund, R. Anderson, Dussault, Metcalf, Marks, Kemmis, Scully, Huennekens, Holmes. Referred to Committee on Taxation.

HB 574, introduced by Day, Scully, Wood, Ramirez, (By Request of the Department of Justice). Referred to Committee on State Administration.

HB 575, introduced by Day, Galt, Bengtson, Moore, C. Smith. Referred to Committee on Fish and Game.

HB 576, introduced by Harper, Dassinger, Frates, K. Robbins, Metcalf, Holmes, Dozier, Manning, Huennekens. Referred to Committee on State Administration.

The following Senate bills were introduced, read first time and referred to committees:

SB 75, introduced by Hazelbaker, Boylan. Referred to Committee on Taxation.

SB 80, introduced by Hazelbaker, Blaylock, (By Request of the State Commissioner of Insurance). Referred to Committee on Business and Industry.

SB 82, introduced by Regan, Hager, (By Request of the Department of Business Regulation). Referred to Committee on Business and Industry.
SB 83, introduced by Dover, Blaylock, (By Request of the State Commissioner of Insurance). Referred to Committee on Business and Industry.
SB 92, introduced by Blaylock, Peterson, Mehrens, Kolstad, (By Request of the Commissioner of Insurance). Referred to Committee on Business and Industry.
SB 94, introduced by Hazelbaker, Dover, (By Request of the Commissioner of Insurance). Referred to Committee on Business and Industry.
SB 146, introduced by Thiessen, Lockrem, Himsl, Jergeson, Gerke, Tropila, Ellerd, Ellis, (By Request of the Department of State Lands). Referred to Committee on State Administration.
SB 149, introduced by Hazelbaker. Referred to Committee on Judiciary.
SB 204, introduced by Aklestad, Kolstad, Mehrens, Thomas, E. Smith, Lensink, Nelson, O'Hara, Galt, M. Anderson, Hafferman. Referred to Committee on Judiciary.
SB 205, introduced by Aklestad, Kolstad, Mehrens, Thomas, E. Smith, Nelson, Galt, O'Hara. Referred to Committee on Judiciary.

Lund present at this time.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 67 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Marks, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 82

Noes: Conroy, Curtiss, Hand, Lund, Manuel, Menahan, Nathe, Seifert, Smith, Staigmiller, Stobie, Vinger.
Total 12

Excused: Brand, Eudaily.
Total 2

Absent or not voting: Ernst, Hurwitz, Pistoria, Quilici.
Total 4

House Bill No. 112 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore,

Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Rosenthal, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Burnett, Keedy, Reichert, Roth, Sales, Smith, Thoft.
Total 7

Excused: Brand, Eudaily.
Total 2

Absent or not voting: Ernst, Hurwitz.
Total 2

House Bill No. 125 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Shelden, South, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Yardley, Mr. Speaker.
Total 65

Noes: Bardanouve, Bertelsen, Burnett, Conroy, Curtiss, Donaldson, Ellerd, Ellison, Hayne, Iverson, Johnston, Keyser, Kropp, Kvaalen, Moore, Nathe, Nordtvedt, Pistoria, K. Robbins, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Thoft, Wood, Wyrick.
Total 31

Excused: Brand, Eudaily.
Total 2

Absent or not voting: Ernst, Hurwitz.
Total 2

House Bill No. 141 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Burnett, Conroy, Lien, H. Robbins, Smith.
Total 5

Excused: Brand, Eudaily.
Total 2

Absent or not voting: Ernst, Gould, Hurwitz, Scully.
Total 4

House Bill No. 175 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 87

Noes: Dassinger, Day, Ellis, Kvaalen, Lory, Marks, Moore, Smith, Stobie.
Total 9

Excused: Brand, Eudaily.
Total 2

Absent or not voting: Hurwitz, Shelden.
Total 2

House Bill No. 197 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: Burnett, Iverson.
Total 2

Excused: Brand, Eudaily.
Total 2

Absent or not voting: Gilligan.
Total 1

House Bill No. 283 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich,

Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Brand, Eudaily.
Total 2

Absent or not voting: Yardley.
Total 1

House Bill No. 316 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Keedy, Stobie.
Total 2

Excused: Brand, Eudaily.
Total 2

Absent or not voting: Nordtvedt, Oberg, Pavlovich.
Total 3

House Bill No. 324 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: Pistoria, Stobie.
Total 2

Excused: Brand, Eudaily.
Total 2

Absent or not voting: H. Robbins.
Total 1

House Bill No. 340 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Brand, Eudaily.
Total 2

Absent or not voting: Cooney, Waldron.
Total 2

House Bill No. 352 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 86

Noes: Bennett, Dussault, Ellerd, Hemstad, Marks, Meyer, Moore, Oberg, Sales, Smith, Thoft, Yardley.
Total 12

Excused: Brand, Eudaily.
Total 2

Absent or not voting: None.
Total 0

House Bill No. 358 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Burnett, Conroy, Curtiss, Daily, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales,

Schultz, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vinger, Wood, Wyrick, Mr. Speaker.
Total 72

Noes: Bardanouve, Bertelsen, Cooney, Dassinger, Day, Dussault, Frates, Gesek, Harper, Hirsch, Holmes, Huennekens, Lory, Menahan, Metcalf, Oberg, Quilici, Scully, South, Uhde, Vincent, Waldron, Williams, Yardley.
Total 24

Excused: Brand, Eudaily.
Total 2

Absent or not voting: Kessler, Shelden.
Total 2

House Bill No. 359 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 84

Noes: Conroy, Donaldson, Ellerd, Marks, Meyer, Moore, Roth, Sales, Smith, Spilker, Stobie, Wood, Wyrick.
Total 13

Excused: Brand, Eudaily.
Total 2

Absent or not voting: Vinger.
Total 1

House Bill No. 369 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: Curtiss.
Total 1

Excused: Brand, Eudaily.
Total 2

Absent or not voting: Waldron.

Total 1

House Bill No. 396 was passed by the following vote:

Ayes: Anderson, Baeth, Burnett, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Gilligan, Gould, Hand, Hayne, Hemstad, Hirsch, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Keyser, Kropp, Kvaalen, Lien, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick.
Total 72

Noes: Azzara, Bardanouve, Bennett, Bertelsen, Cooney, Dozier, Dussault, Frates, Gesek, Harper, Harrington, Holmes, Huennekens, Kemmis, Kessler, Lory, Lund, McBride, Metcalf, Oberg, Shelden, South, Waldron, Yardley, Mr. Speaker.
Total 25

Excused: Brand, Eudaily.
Total 2

Absent or not voting: Bengtson.
Total 1

House Bill No. 405 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Brand, Eudaily.
Total 2

Absent or not voting: Quilici.
Total 1

House Bill No. 413 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales,

Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Hurwitz, Nathe, Roth, Smith, Vinger.
Total 5

Excused: Brand, Eudaily.
Total 2

Absent or not voting: Johnston, Wood.
Total 2

House Joint Resolution No. 12 was passed by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kessler, Keyser, Kropp, Kvaalen, Lien, Lund, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 81

Noes: Azzara, Dussault, Ellis, Holmes, Keedy, Kemmis, Lory, McBride, Oberg, Reichert, Shelden, Uhde, Waldron.
Total 13

Excused: Brand, Eudaily.
Total 2

Absent or not voting: Bardanouve, Ellison, Scully, South.
Total 4

House Joint Resolution No. 13 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 86

Noes: Burnett, Ellison, Iverson, Kvaalen, Lund, Nathe, Seifert, Thoft, Vinger.
Total 9

Excused: Brand, Eudaily.
Total 2

Absent or not voting: Conroy, Hurwitz, Roth.
Total 3

Consent Calendar

House Bill No. 375 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Brand, Eudaily.
Total 2

Absent or not voting: Sales.
Total 1

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Teague in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 60 do pass. (83-14)

That HB 128 do pass. (87-1)

Moore moved that HB 173 be placed at the bottom of the board for the purpose of amendment. Motion failed.

That HB 173 do pass. (71-20)

That HB 189 do pass. (92-0)

That HB 238 do pass. (89-1)

That HB 290 do pass. (81-6)

That HB 306 do pass. (86-0)

That HB 363 do pass. (81-3)

That HB 370 do pass. (85-1)

That HB 389 do not pass. (58-35)

That HB 407 do pass. (85-3)

That HB 424 do pass. (86-4)

That HB 426 do not pass. (81-12)

That HB 432 do pass. (88-2)

That HB 438, second reading copy, be amended as follows: (87-1)

1. Page 1, line 17.
Following: "rule;"
Strike: "and"

2. Page 1, line 19.
Following: "affected"
Strike: "."
Insert: "; and"

3. Page 1.
Following: line 19
Insert: "(c) any economic benefit of compliance to all persons affected."

And as amended, do pass. (82-11)

Sales moved that HB 442 pass to the bottom of the board for the purpose of amendment to title. He then requested the Rules Committee to rule on whether the amendment he proposes would be within the scope of the title.

House recessed at 5:06 p.m.

House reconvened at 5:13 p.m.

Dussault reported that the Rules Committee decision was that the amendment was out of order and not in keeping with the scope of the title.

That HB 442 do pass. (63-28)

That HB 443 do pass. (88-1)

Waldron, Gesek excused at this time.

That HJR 16 do pass. (65-33)

That SA to HB 40 be concurred in. Motion failed. (45-46)

That SA to HB 40 be not concurred in. (66-24)

That SA to HB 55 be concurred in. (84-3)

Dussault moved that the Committee of the Whole Report be deemed read. Motion carried.

That the Committee rise and report. (Teague, Chairman). Kvaalen moved that HB 173 be segregated from the Committee of the Whole Report and, as amended, be adopted. Gould moved the previous question. Motion carried. (76-15) Thereupon, Kvaalen's motion carried. (59-30)

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/5/79
Correctly enrolled - HB 88.

Examined by the Sponsor and found to be correct - HB 88.

Will be signed by the Speaker on adjournment, 2/5/79 - HB 88.

Do Pass

HUMAN SERVICES (Holmes, Chairman): 2/5/79

HB 310, introduced bill, be amended as follows:

1. Title, line 6.
Following: "OLDER;"
Insert: "BY ELIMINATING ALTERNATES FOR THE BOARD; AND BY REQUIRING THAT NO MORE THAN THREE MEMBERS BE FROM ANY CONGRESSIONAL DISTRICT;"

2. Page 1, line 13.
Following: "of"
Strike: "five"
Insert: "six"

3. Page 1, line 14.
Following: "governor."
Insert: "There shall be no more than three members from the same congressional district."

4. Page 1, line 24.
Following: "~~three~~"
Strike: "two"
Insert: "three"

5. Page 2, lines 7 through 12.
Strike: subsection (3) in its entirety
Renumber: subsequent subsections

And as amended, do pass. Report adopted.

NATURAL RESOURCES (Shelden, Chairman): 2/5/79
HB 313, introduced bill, be amended as follows:

1. Title, line 6.
Strike: "LEASE OR"

2. Page 1, line 11.
Following: "state-financed"
Strike: "and leased"

3. Page 3, line 3.
Strike: "lease or"

4. Page 3, line 12.
Following: "greater."
Strike: remainder of lines 12 through 17 in their entirety

5. Page 3, line 25.
Strike: "and leased"

6. Page 4, line 1.
Following: "facilities."
Insert: "Costs of these studies shall become a portion of the services performed by the contract architect for the designated project under the standard fee schedule established by the department of administration."

And as amended, do pass. Report adopted.

HJR 18, do pass. Report adopted.

LOCAL GOVERNMENT (H. Robbins, Chairman): 2/3/79
HB 365, introduced bill, be amended as follows:

1. Page 1, line 13.

Following: "by"
Insert: "more than"
Following: "50%"
Strike: "or more"

2. Page 1, line 22.
Following: "of"
Insert: "more than"
Following: "50%"
Strike: "or more"

And as amended, do pass. Report adopted.

HB 366, introduced bill, be amended as follows:

1. Title, lines 5 through 8.
Strike: "REMOVING THE RESTRICTION ON ANNEXATION OF FIRE DISTRICTS;"
Strike: "SECTIONS"
Insert: "SECTION"
Strike: "AND 7-2-4734"

2. Page 1, lines 18 through 13 on page 2.
Strike: section 2 in its entirety
Renumber: subsequent sections

3. Page 2, line 18.
Following: ". Section"
Strike: "3"
Insert: "2"

4. Page 2, line 23.
Strike: "3"
Insert: "2"

And as amended, do pass. Report adopted.

Adverse Committee Reports

NATURAL RESOURCES (Shelden, Chairman): 2/5/79
HB 434, do not pass.

Consent Calendar

Bills unanimously passed in committee and unanimously placed on Consent Calendar:

HUMAN SERVICES (Holmes, Chairman): 2/5/79
SB 125, do pass. Report adopted.
SB 127, do pass. Report adopted.

COMMUNICATIONS AND PETITIONS

Dussault informed the members about a question that had been brought to the Joint Rules Committee and the decision of the committee. The question before the Rules Committee was "in reference to Joint Rule 3-12, if a Legislator hires a personal aide and pays for the aide himself, does that aide fall under this rule?" The decision of the committee was that the aide in question does fall under this rule.

MOTIONS

Kvaalen moved that HB 173 be taken from Second Reading and referred to the Committee on Fish and Game. Motion carried.

Vincent moved that HJR 27 be rereferred from the Committee on Natural Resources to the Committee on Fish and Game. Motion carried.

Sivertsen moved that the rules be suspended to allow the introduction of two bills. Motion carried. (87-0)

Dussault moved that the Speaker be authorized to appoint a conference committee of three to meet with a like committee from the Senate on Senate Amendments to House Bill No. 40. Motion carried.

Huennekens moved that HB 572 be rereferred from the Committee on Taxation to the Committee on Business and Industry. Motion carried.

UNFINISHED BUSINESS

The Speaker appointed a committee of three to meet with a like committee from the Senate on Senate Amendments to House Bill 40:

Cooney, Chairman
Moore
Metcalf

SPECIAL ORDERS OF THE DAY

Consent Calendar

Questions were asked on HB 323 and HB 421.

Dussault moved that the House adjourn until 3:30 p.m., February 6, 1979.

Motion carried.

House adjourned at 6:15 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

THIRTIETH LEGISLATIVE DAY

Helena, Montana
February 6, 1979

House Chambers
Capitol Building

House convened at 3:29 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Eudaily, Sivertsen, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Twenty-seventh Legislative Day, find the same to be correct.

METCALF, Chairman

COMMUNICATIONS AND PETITIONS

Dear Reps,

The copper-mum plant is beautiful. Ralph will convey his own thank-you as soon as he gets back — He hopes it won't be too long!

Doris Eudaily

Just a note to thank you, the assembly, for your thoughtfulness. I will convey my thanks to the entire assembly when I return which will be soon I hope.

Ralph Eudaily

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/6/79

Considered correctly engrossed - HB 60, HB 128, HB 189, HB 238, HB 290, HB 306, HB 363, HB 370, HB 407, HB 424, HB 432, HB 442, HB 443, HJR 16.

Correctly engrossed - HB 438.

Correctly printed - HB 149, HB 193, HB 268, HB 276, HB 288, HB 310, HB 313, HB 327, HB 365, HB 366, HJR 18.

Will be signed by the Speaker on adjournment, 2/6/79 - SB 41, SB 45.

Signed by the Speaker on adjournment, 2/5/79 - SB 4, SB 33, SB 73, HB 88.

Do Pass

APPROPRIATIONS (Bardanouve, Chairman): 2/5/79

HB 79, do pass. Report adopted.
HB 301, do pass. Report adopted.
HB 354, do pass. Report adopted.
HB 415, introduced bill, be amended as follows:

1. Page 2, lines 11 through 13.
Following: line 10
Strike: lines 11 through 13 in their entirety

2. Page 2, lines 19 through 21.
Following: line 18
Strike: lines 19 through 21 in their entirety

And as amended, do pass. Report adopted.

HB 425, do pass. Report adopted.

FISH AND GAME (Staigmiller, Chairman): 2/6/79
HB 38, introduced bill, be amended as follows:

1. Page 1, line 16.
Following: "state"
Strike: "whether they are privately or publicly owned and whether or not they have been reduced to captivity"
Insert: "not held in private ownership pursuant to the laws of this state"

And as amended, do pass. Report adopted.

HB 247, do pass. Report adopted.
HB 374, do pass. Report adopted.

TAXATION (Huennekens, Chairman): 2/6/79
HJR 10, do pass. Report adopted.
SB 147, be concurred in. Report adopted.

Adverse Committee Reports

TAXATION (Huennekens, Chairman): 2/6/79
HB 430, do not pass.
HB 433, do not pass.

On motion by Quilici, the Adverse Committee Report on HB 285 was adopted by the following vote: (81-8)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harper, Hayne, Hemstad, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Seifert, Shelden, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.
Total 81

Noes: Bennett, Day, Ernst, Gould, Johnson, Kropp, Pavlovich, Yardley.
Total 8

Excused: Eudaily, Sivertsen.
Total 2

Absent or not voting: Burnett, Harrington, Hirsch, Kessler, Quilici, Roth, Scully, South, Waldron.
Total 9

Consent Calendar

Ramirez, Scully, Fabrega objected that HB 323 was reported out of committee with a unanimous Consent Calendar recommendation and requested that the bill be referred to Second Reading.

MESSAGES FROM THE OTHER HOUSE

House Bills concurred in and returned to the House: 2/5/79

House Bill No. 130, introduced by Ramirez, Gerke

House Bill No. 134, introduced by Hurwitz, Burnett, Thoft

House Bill No. 170, introduced by Kvaalen

Senate Bills passed as amended and transmitted to the House for concurrence: 2/5/79

Senate Bill No. 74, introduced by Himsl, Regan

Senate Bill No. 76, introduced by Boylan, et al

Senate Bill No. 101, introduced by Hazelbaker

Senate Bill No. 189, introduced by Stephens, Dussault

House Bills concurred in as amended and returned to the House for concurrence in Senate Amendments: 2/5/79

House Bill No. 7, introduced by Manuel

House Bill No. 75, introduced by Kanduch

MOTIONS

Dussault moved that the House concur in allowing Representative Lory to place a bill in the Chief Clerk's Office on behalf of Representative Eudaily. Motion carried.

Huennekens moved that HB 461 be rereferred from the Committee on Taxation to the Committee on Judiciary. Motion carried.

Yardley moved that HB 424 be taken from Engrossing and referred to Second Reading. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 577, introduced by Donaldson, Staigmiller. Referred to Committee on Agriculture, Livestock and Irrigation.

HB 578, introduced by Wyrick, Bennett, Curtiss, Conroy, Kropp, Schultz, Gerke, Dussault, E. Smith, Mathers. Referred to Committee on Human Services.

HB 579, introduced by Fagg, Dozier, Manning. Referred to Committee on State Administration.

HB 580, introduced by Fagg, Uhde, Gould. Referred to Committee on Judiciary.

HB 581, introduced by Vinger. Referred to Committee on Taxation.

HB 582, introduced by Burnett. Referred to Committee on Taxation.

HB 583, introduced by Dozier. Referred to Committee on Natural Resources.

HB 584, introduced by Gerke. Referred to Committee on Appropriations.

HB 585, introduced by Gould, Harrington, Bennett. Referred to Committee on Human Services.

HB 586, introduced by Teague, Manning, Frates, O'Connell, Huennekens, Gilligan, H. Robbins, Dozier. Referred to Committee on Judiciary.

HB 587, introduced by Waldron, Dussault, Holmes, Gesek. Referred to Committee on Human Services.

HB 588, introduced by Yardley, Sales, Moore, Fagg, Vincent, Lien. Referred to Committee on State Administration.

HB 589, introduced by Manuel, (By Request of the Department of Agriculture). Referred to Committee on Agriculture, Livestock and Irrigation.

HB 590, introduced by Manuel, (By Request of the Department of Agriculture). Referred to Committee on Agriculture, Livestock and Irrigation.

HB 591, introduced by Bardanouve. Referred to Committee on State Administration.

HB 592, introduced by Nordtvedt, Gould, Kemmis, Vincent, Gilligan, Dussault. Referred to Committee on Taxation.

HB 593, introduced by Johnston, Pavlovich, Manning, Dozier. Referred to Committee on State Administration.

HB 594, introduced by Scully, (By Request of the Legislative Audit Committee). Referred to Committee on Business and Industry.

HB 595, introduced by Scully, (By Request of the Legislative Audit Committee). Referred to Committee on Business and Industry.

HB 596, introduced by Metcalf. Referred to Committee on State Administration.

HB 597, introduced by Gerke, Ellerd, Ellis, Tropila, (By Request of the Legislative Audit Committee). Referred to Committee on Business and Industry.

HB 598, introduced by Gerke, Ellerd, Ellis, Tropila, (By Request of the Legislative Audit Committee). Referred to Committee on Business and Industry.

HB 599, introduced by Ellerd, Gerke, (By Request of the Legislative Audit Committee). Referred to Committee on Business and Industry.

HB 600, introduced by Bardanouve. Referred to Committee on State Administration.

HB 601, introduced by Ellerd, Gerke, (By Request of the Legislative Audit Committee). Referred to Committee on Business and Industry.

HB 602, introduced by Sivertsen. Referred to Committee on Judiciary.

HB 603, introduced by Sivertsen. Referred to Committee on Judiciary.

HB 604, introduced by Uhde. Referred to Committee on Taxation.

HB 605, introduced by McBride, Kanduch, Menahan, Cooney, Huennekens, Harper, Frates, Shelden. Referred to Committee on Natural Resources.

HB 606, introduced by Ellis, Gerke, Ellerd, Scully, (By Request of the Legislative Audit Committee). Referred to Committee on Business and Industry.

HB 607, introduced by Gould, (By Request of the Department of Justice). Referred to Committee on Highways and Transportation.

HB 608, introduced by Gould, Ramirez, Scully, Ellis, Lory, Conroy, Sales, Marks, Moore, Hand, O'Connell, Lien, Keedy, Gilligan, Teague, Kvaalen, Underdal, Hemstad, Meyer, C. Smith, Spilker, Donaldson, Nathe, Anderson, Ellison, Seifert, Iverson, Roth, Curtiss, Nordtvedt, Wyrick, Johnston, Hayne, Quilici, Fagg, Schultz, Pistoria, Stobie, Staigmiller, Manuel, Feda, Ernst, Pavlovich, Menahan, Porter, Ellerd, Kropp, Vinger, Harrington, Lund, Rosenthal, Fabrega, Daily, Sivertsen, Hurwitz, Tropila, Day, Bennett, Jensen, Wood. Referred to Committee on Judiciary.

HB 609, introduced by Tropila, Gilligan, Pistoria, Conroy, Sales, Keyser, Moore, Wood, Bengtson, Dassinger, Oberg, Lien, O'Connell, Hand, Uhde, K. Robbins, McBride, Harper, Frates, Staigmiller, Metcalf, Holmes, Gerke, Fabrega, Cooney, Ernst, Porter, Ellis, Vinger, Gesek, Meyer, Menahan, Seifert, Feda, Daily, Gould. Referred to Committee on Judiciary.

HB 610, introduced by Azzara, Magone, Bardanouve, Menahan, Kanduch, McBride, Kessler, Baeth, Cooney, Harrington, Dozier, Manuel, Ellis, Lory, Scully, Uhde. Referred to Committee on Local Government.

HB 611, introduced by Gould, Ellis, Lory. Referred to Committee on Judiciary.

HB 612, introduced by Hirsch. Referred to Committee on Local Government.

HB 613, introduced by Menahan, Scully, Harrington, Daily. Referred to Committee on Judiciary.

HB 614, introduced by Nordtvedt, Waldron, Bengtson, Hemstad. Referred to Committee on State Administration.

HB 615, introduced by Sivertsen, Day, Ramirez, Williams, Fagg, Kolstad, Roskie, Scully. Referred to Committee on Agriculture, Livestock and Irrigation.

HB 616, introduced by Meyer, Roskie. Referred to Committee on Local Government.

HB 617, introduced by Baeth, Shelden, Uhde, Bennett, Harper, Keedy. Referred to Committee on Natural Resources.

HB 624, introduced by Marks, Iverson, Keyser, Lory, Ellison, Vinger, Nathe, Thoft, Curtiss, Donaldson, Conroy, Kolstad, Roth, Spilker, Hand. Referred to Committee on Education and Cultural Resources.

HJR 29, introduced by Harrington, Pavlovich, Daily, Quilici, Cooney, McBride, Kanduch, Menahan, Bertelsen. Referred to Committee on Fish and Game.

HJR 30, introduced by Johnson, McBride, Metcalf, Harper, Johnston, Gesek, Frates, K. Robbins, Holmes, Huennekens, Vincent, Dussault, Oberg, Rosenthal, Harrington, Daily, O'Connell, Kanduch, Menahan, Pavlovich, Shelden, Baeth, Dozier, Frates, Uhde, Kemmis, Waldron, Dassinger, Tropila. Referred to Committee on Natural Resources.

The following Senate bills were introduced, read first time and referred to committees:

SB 74, introduced by Himsl, Regan, (By Request of the Department of Administration). Referred to Committee on State Administration.

SB 76, introduced by Boylan, Turnage, Galt, Lensink, Kolstad, Manley, Conover, Severson, Thiessen, Dover, Nelson, E. Smith, S. Brown, (By Request of the Subcommittee on Water Rights). Referred to Committee on Agriculture, Livestock and Irrigation.

SB 101, introduced by Hazelbaker, (By Request of the Code Commissioner). Referred to Committee on Business and Industry.

SB 189, introduced by Stephens, Dussault. Referred to Committee on Education and Cultural Resources.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Marks in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 89 be concurred in. (88-1)

That SA to HB 167 be concurred in. (90-0)

That the Committee rise and report. (Marks, Chairman). Report adopted. (90-0)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 241 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Schultz, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley.
Total 87

Noes: None.
Total 0

Excused: Eudaily, Sivertsen.
Total 2

Absent or not voting: Bardanouve, Conroy, Hurwitz, Keedy, Kessler, Moore, K. Robbins, Roth, Scully, Stobie, Mr. Speaker.
Total 11

House Bill No. 251 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellison, Ernst, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lund, McBride, Magone, Manning, Menahan, Metcalf, Nathe, Oberg, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Schultz, Shelden, South, Staigmiller, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 64

Noes: Bennett, Curtiss, Ellerd, Ellis, Fabrega, Feda, Hemstad, Iverson, Jensen, Kvaalen, Lien, Lory, Manuel, Marks, Meyer, Moore, Nordtvedt, Pistoria, Sales, Scully, Sivertsen, Smith, Spilker, Stobie, Thoft, Underdal, Vinger, Wood.
Total 28

Paired: Ramirez, Aye; Sivertsen, No.

Excused: Eudaily.
Total 1

Absent or not voting: Burnett, Conroy, Hurwitz, O'Connell, K. Robbins, Roth, Seifert.
Total 7

Senate Amendments to House Bill No. 55 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson,

Dozier, Dussault, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Schultz, Scully, Seifert, Shelden, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 83

Noes: Burnett.
Total 1

Excused: Eudaily, Sivertsen.
Total 2

Absent or not voting: Conroy, Ellerd, Frates, Hirsch, Huennekens, Hurwitz, Keedy, Quilici, K. Robbins, Roth, Smith, South, Thoft, Vinger.
Total 14

Consent Calendar

House Bill No. 421 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Eudaily, Sivertsen.
Total 2

Absent or not voting: Conroy, Ellerd, Hurwitz, Quilici, Roth, Scully, Stobie.
Total 7

REPORTS OF STANDING COMMITTEES

Do Pass

STATE ADMINISTRATION (Brand, Chairman): 2/6/79
HB 187, introduced bill, be amended as follows:

1. Title, line 6.
Following: "A"
Strike: "BIENNIAL"
Following: "REPORT"
Insert: "TO BE PREPARED FOR THE FIRST YEAR OF EACH FISCAL BIENNIUM"

2. Page 1, line 11.

Following: "~~Annual~~"
Strike: "Biennial reports"
Insert: "Reports"

3. Page 1, line 12.
Following: "to"
Strike: "members of the"

4. Page 1, line 13.
Following: "Before"
Strike: "September"
Insert: "August"
Following: "each"
Strike: "odd-numbered"
Insert: "even-numbered"

5. Page 1, line 16.
Following: line 15
Strike: "biennium"
Insert: "year"

6. Page 2, line 6.
Following: "the"
Strike: "members of"

7. Page 2, line 7.
Following: line 6
Strike: "the"

8. Page 2, line 8.
Following: "~~session~~"
Insert: "before the fifth legislative day of any regular session"

And as amended, do pass. Report adopted.

MOTIONS

Huennekens moved that the House Rules Committee consider the following recommendation:

1. Page 84 of the Rules of the Montana Legislature, 1979.
Following: Section H8-2 in its entirety
Insert: "H8-3. Preceding the question period provided for in consideration of consent calendar bills, in each case the sponsor of a House bill or a member of the committee that recommended consent calendar status for a Senate bill shall present, in 2 minutes or less, a statement explaining the bill and discussing any significant items in the bill."

Motion carried.

SPECIAL ORDERS OF THE DAY

Consent Calendar

Questions were asked on HB 214.

Dussault moved that the House adjourn until 2:30 p.m., February 7, 1979.

Motion carried.

House adjourned at 4:01 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

THIRTY-FIRST LEGISLATIVE DAY

Helena, Montana
February 7, 1979

House Chambers
Capitol Building

House convened at 2:32 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Eudaily, Hayne, Johnston, excused. Quorum present.

COMMUNICATIONS AND PETITIONS

Ms. Martha McGee
Chief Clerk of the House
Capitol Station
Helena, Montana 59601

2/1/79

Dear Ms. McGee,

Could you please announce to the House the following cultural event sponsored by the Second Story Cinema with a grant from the Montana Arts Council:

The Portland Dance Theater will be performing at the Helena Junior High Auditorium on Saturday February 10th at 8 p.m. Legislators and their families are invited to attend. Tickets can be purchased at the door or in advance from outlets around town (Northwestern Bank, Hatch's Bookstore, Second Story Cinema).

Thank you very much.

Sincerely,

Arnie Malina
Second Story Cinema

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/7/79

Correctly printed - HB 38, HB 79, HB 187, HB 247, HB 301, HB 354, HB 374, HB 415, HB 425, HJR 10.

Delivered to the Governor for his approval at 2:12 p.m., 2/7/79 - HB 88.

Delivered to the Governor for his approval at 3:00 p.m., 2/6/79 - HB 5, HB 10, HB 52, HB 95.

Do Pass

BUSINESS AND INDUSTRY (Quilici, Chairman): 2/7/79

HB 227, introduced bill, be amended as follows:

1. Page 1, line 16.
Following: line 15
Strike: "shall"
Insert: "may"

2. Page 1, line 19.
Following: "amended"
Strike: ", to be paid"
Insert: "."

3. Page 1, line 21.

Following: "~~chapter~~"
Insert: "Any compensation to a board member shall be paid"

4. Page 3.
Following: line 17
Insert: "(9) A decision respecting the denial or revocation of a license shall be made after an opportunity for a hearing before the board. Matters concerning the denial or revocation of licenses, hearing, and judicial review shall be handled in the manner provided in the Montana Administrative Procedure Act."

And as amended, do pass. Report adopted.

STATEMENT OF INTENT RE: House Bill No. 227

A Statement of Intent is required for this bill in that it amends section 23-3-201, MCA, which delegates authority to the Board of Athletics to license a boxer, wrestler, official, or ring attendant in a professional match.

1. Under section 2, the bill amends 23-3-201, MCA, to require a boxer, wrestler, official or ring attendant to be licensed if he participates in a professional boxing, sparring or wrestling match. Prior to this bill, the Board of Athletics had the authority to grant or revoke a license to conduct professional boxing, sparring, or wrestling matches. It is intended that the amendments to this bill in subsections (6) through (9) grant the Board of Athletics additional authority to license a boxer, wrestler, official or ring attendant participating in a professional match. The Board of Athletics shall have the authority to promulgate rules relating to the licensing of a boxer, wrestler, official or ring attendant. This authority includes the power to promulgate rules relating to the requirements for a license and the format and substantive provisions of the application for the license. As a guiding philosophy for all rulemaking relating to licensing, the Board of Athletics is expected to give impartial and non-discriminatory safeguards its highest priority.

/s/Quilici

HB 454, introduced bill, be amended as follows:

1. Page 1, line 23.
Following: "method"
Insert: "approved by the board"

And as amended, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Baeth, Chairman): 2/7/79

HB 100, introduced bill, be amended as follows:

1. Title, line 6.
Strike: "REDUCING"
Insert: "REVISING"

2. Page 2, line 2.
Strike: "15"
Insert: "20"

3. Page 2, line 4.
Strike: "12"
Insert: "17"

4. Page 2, line 8.
Strike: "12"
Insert: "15"

5. Page 2, line 10.

Strike: "10"
Insert: "12"

6. Page 2, line 16.
Strike: "8"
Insert: "15"

And as amended, do pass. Report adopted.

SB 52, be concurred in. Report adopted. 2/6/79
SB 77, be concurred in. Report adopted.

JUDICIARY (Scully, Chairman): 2/6/79
HB 335, do pass. Report adopted.
HB 368, introduced bill, be amended as follows:

1. Title, line 5.
Following: "SECTIONS"
Insert: "26-1-901,"
Following: "26-1-902"
Insert: ","

2. Page 1.
Following: line 8
Insert: "SECTION 1. SECTION 26-1-901, MCA, IS AMENDED TO READ:

'26-1-901. Short title. This part shall be known and may be cited as the "~~Reporters' Confidence~~ Media Confidentiality Act".'"
Renumber: subsequent sections

3. Page 1, line 10.
Strike: "reporters'"

4. Page 1, line 22.
Following: "employment"
Insert: "or its business"

5. Page 1, line 23.
Following: "person"
Strike: "engaged as"
Insert: "described"

6. Page 2, line 11.
Following: "testify"
Insert: "or to produce the source"
Following: "subpoenaed"
Insert: "or ordered to testify or produce the source"

7. Page 2, line 13.
Following: "subpoenas"
Insert: "or judicially enforceable orders"

And as amended, do pass. Report adopted.

HB 390, introduced bill, be amended as follows:

1. Page 2, lines 7 through 9.
Following: line 6
Strike: line 7 through "any" on line 9
Insert: "proceedings whenever the disclosure of the"

2. Page 2, line 10.
Following: "information"

Strike: "."
Insert: "would result in evidence that, in the opinion of the court, would probably be determinative of the innocence or guilt of a defendant. Before the court may require the disclosure of the information or the source in open court, the court shall hold an in camera hearing to determine the evidentiary status of the information sought to be disclosed. An individual subject to the disclosure requirements and his attorney or a representative of a person subject to the disclosure requirements, other than an individual, and his attorney are entitled to be present at the hearing. No other individual, other than the judge, may be present."

And as amended, do pass. Report adopted.

HB 422, introduced bill, be amended as follows:

1. Page 2, line 1.
Strike: "a"
Following: "dangerous"
Strike: "drug"
Insert: "drugs"

2. Page 2, line 2.
Following: "not"
Strike: "to exceed"
Insert: "less than 2 years or more than"

And as amended, do pass. Report adopted.

STATEMENT OF INTENT RE: House Bill No. 422

A Statement of Intent is required for this bill in that in section 3 it delegates authority to the Board of Pharmacy to adopt rules.

House Bill 422 defines the offense of criminal possession of precursors to certain dangerous drugs. The bill provides that its provisions do not apply to those persons or businesses which have a legitimate reason for possessing the precursors. It is possible that certain persons, businesses or research facilities may now or at a later date have a legitimate need for these precursors. The purpose for giving rule making authority to the Board of Pharmacy is that it can best determine whether a person, business or research facility has a legitimate need for the precursors. It will also alleviate having to amend the statute in future sessions if it appears that someone is entitled to be exempted from the criminal provisions of the statute.

/s/Scully

HB 464, introduced bill, be amended as follows:

1. Title, line 5.
Following: "TO"
Strike: "REMOVE"
Insert: "CHANGE"

2. Page 1, line 19.
Following: "The"
Strike: "rights of the"

3. Page 1, line 20.
Following: "may"
Strike: remainder of line 20 in its entirety
Insert: "waive his rights"

4. Page 1, line 23.
Following: "waiver"
Insert: "with or without the advice of counsel"

5. Page 2, line 1.
Following: "waiver"
Insert: "with or without the advice of counsel"

6. Page 2, line 4.
Following: "~~counsel~~"
Insert: "only with advice of counsel"

7. Page 2.
Following: line 4
Insert: "(3) Nothing in this section should be construed to require the presence of counsel for any purpose other than waiver of constitutional rights."

And as amended, do pass. Report adopted.

HB 475, do pass. Report adopted.
HB 493, introduced bill, be amended as follows:

1. Page 2, line 7.
Following: "February"
Strike: "15"
Insert: "1"

And as amended, do pass. Report adopted.

HB 500, introduced bill, be amended as follows:

1. Page 2, lines 4 through 6.
Following: "50-32-101."
Strike: remainder of lines 4 through 6 in their entirety

And as amended, do pass. Report adopted.

STATEMENT OF INTENT RE: House Bill No. 500

Those substances listed in section 1 can be procured from most commercial chemical warehouses just as numerous other chemicals can be obtained. However, those substances listed in section 1 can be used in the manufacture of several different dangerous drugs, including amphetamine, methamphetamine and phencyclidine. The intent of the legislation requiring reporting is to monitor commercial sales of those chemicals that can be readily used to produce dangerous drugs. Two purposes will be served by mandatory reporting. First of all, it will deter those who do not have a legitimate need for the chemicals from making purchases, knowing that the purchase will be reported. Secondly, by monitoring the sales the Department of Justice will be "tipped" to large purchases by illegitimate purchasers thereby preventing the possible manufacture and consumption of a controlled drug.

/s/Scully

HB 514, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Williams, Chairman):
2/6/79

HB 129, do pass. Report adopted.
HB 212, introduced bill, be amended as follows:

1. Page 3, line 25.

Following: "who"
Insert: "directly"

2. Page 4, line 4.
Following: "Labor"
Strike: "organization"
Insert: "organizations"

And as amended, do pass. Report adopted.

HB 302, do pass. Report adopted.
HB 331, do pass. Report adopted.
HB 378, introduced bill, be amended as follows:

1. Page 1, line 13.
Following: "court"
Insert: ", within 60 days from the date of decision,"

And as amended, do pass. Report adopted.

Adverse Committee Reports

BUSINESS AND INDUSTRY (Quilici, Chairman): 2/7/79
HJR 20, introduced bill, be amended as follows:

1. Page 2, lines 5 and 6.
Following: "organization"
Strike: "such as Chex System Incorporated"

And as amended, do not pass.

HIGHWAYS AND TRANSPORTATION (Baeth, Chairman): 2/6/79
HB 315, do not pass.

JUDICIARY (Scully, Chairman): 2/6/79
HB 345, do not pass.

LABOR AND EMPLOYMENT RELATIONS (Williams, Chairman): 2/6/79
HB 158, do not pass.

On motion by Shelden, the Adverse Committee Report on HB 434 was adopted by the following vote: (88-4)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: Frates, Harper, Harrington, Johnson.
Total 4

Excused: Eudaily, Hayne, Johnston.
Total 3

Absent or not voting: Brand, Lund, Nathe, O'Connell, Waldron.

Total 5

Consent Calendar

Bills unanimously passed in committee and unanimously placed on Consent Calendar:

BUSINESS AND INDUSTRY (Quilici, Chairman): 2/7/79
HB 495, introduced bill, be amended as follows:

1. Page 1, line 10.
Following: "authorized"
Strike: "to make rules"

And as amended, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Baeth, Chairman): 2/6/79
SB 53, be concurred in. Report adopted.

Rules

Joint Rules, Chapter 11. 2/7/79

Dussault moved that the report be deemed read. Motion carried.

MESSAGES FROM THE OTHER HOUSE

Senate Bills passed as amended and transmitted to the House for concurrence: 2/6/79

Senate Bill No. 104, introduced by Steve Brown

Senate Bill No. 128, introduced by Rasmussen, Hager

Senate Bill No. 152, introduced by Thomas, Kolstad, et al

Senate Bill No. 164, introduced by Peterson

House Bill concurred in and returned to the House: 2/6/79

House Bill No. 18, introduced by Tropila

Senate Bills passed and transmitted to the House for concurrence: 2/6/79

Senate Bill No. 62, introduced by Lowe, et al

Senate Bill No. 194, introduced by Lensink

Senate Bill passed on Third Reading Consent Calendar and transmitted to the House for concurrence: 2/6/79

Senate Bill No. 157, introduced by R. Smith (by request of the Secretary of State)

MOTIONS

Dussault moved that HB 149 be passed for the day. Motion carried.

Dussault moved that HB 366 be taken from Second Reading and returned to Printing to correct an error in the bill. Motion carried.

Dussault moved that the rules be suspended to allow the Journal to reflect the names of sponsors of the bills that were prefiled and preprinted. Motion carried.

The following names were added as sponsors to the prefiled and preprinted bills for the 1979 Legislature:

House Bill No. 3, Hand; House Bill No. 4, Marks; House Bill No. 5, Kvaalen; House Bill No. 6, Scully; House Bill No. 7, Manuel; House Bill No. 8, Marks; House Bill No. 10, Kvaalen; House Bill No. 11, Keyser; House Bill No. 12, Scully; House Bill No. 13, Nathe; House Bill No. 14, Nathe; House Bill No. 15, Quilici; House Bill No. 16, Quilici; House Bill No. 17, Tropila; House Bill No. 18, Tropila; House Bill No. 19, Manning; House Bill No. 20, Dozier; House Bill No. 21, Quilici; House Bill No. 22, Feda; House Bill No. 23, K. Robbins; House Bill No. 24, Oberg; House Bill No. 27, Baeth; House Bill No. 28, Kanduch; House Bill No. 29, Kessler; House Bill No. 30, Yardley; House Bill No. 31, Pavlovich; House Bill No. 32, Quilici; House Bill No. 33, Kanduch; House Bill No. 34, Frates; House Bill No. 35, H. Robbins; House Bill No. 36, Dussault; House Bill No. 37, Hand; House Bill No. 38, Dozier; House Bill No. 39, Manuel; House Bill No. 40, Metcalf; House Bill No. 41, Marks; House Bill No. 42, Manuel; House Bill No. 43, Shelden; House Bill No. 44, Shelden; House Bill No. 45, Conroy; House Bill No. 46, Lory; House Bill No. 47, Shelden; House Bill No. 48, Manuel; House Bill No. 49, Waldron; House Bill No. 50, Sales; House Bill No. 51, Donaldson; House Bill No. 52, Lund; House Bill No. 53, Harper; House Bill No. 54, Quilici; House Bill No. 55, Uhde; House Bill No. 56, Pistoria; House Bill No. 57, Spilker; House Bill No. 58, Kanduch; House Bill No. 59, Kropp; House Bill No. 60, Fagg; House Bill No. 61, Waldron; House Bill No. 62, Scully; House Bill No. 63, Dassinger; House Bill No. 64, Dassinger; House Bill No. 65, Uhde; House Bill No. 66, Cooney; House Bill No. 67, Cooney; House Bill No. 68, Dozier; House Bill No. 69, Lien; House Bill No. 70, Lien; House Bill No. 71, Feda; House Bill No. 72, Reichert; House Bill No. 73, Fabrega; House Bill No. 74, Gould; House Bill No. 75, Kanduch; House Bill No. 76, Ramirez; House Bill No. 77, Gould; House Bill No. 78, Menahan.

Dussault moved that rules be temporarily suspended to allow discussion of a Standing Committee Report on Order of Business #2 this day. Motion carried.

Lory moved that HB 276 be passed until the Thirty-sixth Legislative Day. Motion carried.

Day moved that SB 76, HB 489, HB 615 be rereferred from the Committee on Agriculture, Livestock and Irrigation to the Select Committee on Water. Motion carried.

Shelden moved that HB 534 be rereferred from the Committee on Natural Resources to the Committee on Taxation. Motion carried.

Huennekens moved that HB 461 be rereferred from the Committee on Judiciary to the Committee on Taxation. Motion carried.

Meyer moved that HB 292 be taken from Second Reading and referred to the Committee on Business and Industry for the purpose of attaching a Statement of Intent. Motion failed. (37-55)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 618, introduced by Keedy, Ramirez, Sivertsen, Conroy, Dassinger, Manuel, Dozier, Johnston, Keyser, Anderson, Jensen, Roth, Wyrick, Nathe, Ernst, Schultz, Spilker, Kropp, Marks, Iverson, Moore, Seifert, Underdal, Teague, O'Connell, Hurwitz, Curtiss, Burnett, Bengtson,

Donaldson, Hayne, Smith, Kvaalen, Fabrega, Pavlovich, Ellison, Vinger, Feda, Hemstad, Meyer, Gould, Day, Pistoria. Referred to Committee on Judiciary.

HB 619, introduced by Kemmis. Referred to Committee on Taxation.

HB 620, introduced by Lory. Referred to Committee on Judiciary.

HB 621, introduced by Waldron, Fagg, Cooney, McBride, Bardanouve, Kemmis, Holmes, Jergeson, Regan, Olson, Conover, Pistoria, Bertelsen, Nathe, Reichert, Day, Keedy, Metcalf, Daily, Oberg, South, Kessler, Azzara, Scully, Ellerd, Lory, Gesek. Referred to Committee on Judiciary.

HB 622, introduced by Bertelsen. Referred to Committee on Business and Industry.

HB 623, introduced by Kropp, Johnston, Wyrick. Referred to Committee on Fish and Game.

HB 625, introduced by Manuel. Referred to Committee on Taxation.

HB 626, introduced by O'Connell. Referred to Committee on State Administration.

HB 627, introduced by Bardanouve. Referred to Committee on State Administration.

HB 628, introduced by Harrington. Referred to Committee on Local Government.

HB 629, introduced by Moore, Ramirez. Referred to Committee on Taxation.

HB 630, introduced by Uhde, Bengtson, (By Request of the Governor). Referred to Committee on Taxation.

HB 631, introduced by Burnett, Schultz. Referred to Committee on Business and Industry.

HB 632, introduced by Moore, Mathers, Galt, Ramirez, Sales, Underdal, Wyrick, Sivertsen, Roth, Burnett, Spilker, Iverson, Conroy, Hurwitz, Nathe, Ellison, Wood, Vinger, Feda, Porter, Hemstad, Goodover, Lien, Thiessen, Graham, Hayne, Boylan, Staigmiller, Seifert, Curtiss, Kropp, Jensen, Fabrega, Ernst, Kvaalen, Manuel. Referred to Committee on Labor and Employment Relations.

HB 633, introduced by Manning, Dozier, Fabrega, Teague, Ramirez, Bengtson. Referred to Committee on Taxation.

HB 634, introduced by Eudaily, Lory, Daily, Harrington, McCallum, Oberg. Referred to Committee on Education and Cultural Resources.

HB 635, introduced by Eudaily, Lory. Referred to Committee on Education and Cultural Resources.

HB 636, introduced by Harper. Referred to Committee on Labor and Employment Relations.

HB 637, introduced by Johnson. Referred to Committee on Taxation.

HJR 31, introduced by Feda. Referred to Committee on Judiciary.

HJR 32, introduced by Eudaily, Lory. Referred to Committee on Education and Cultural Resources.

The following Senate bills were introduced, read first time and referred to committees:

SB 62, introduced by Lowe, Mehrens, Peterson, Dover, Kolstad, (By Request of the Department of Administration). Referred to Committee on Business and Industry.

SB 104, introduced by S. Brown, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Judiciary.

SB 128, introduced by Rasmussen, Hager. Referred to Committee on State Administration.

SB 152, introduced by Thomas, Kolstad, Lowe, McCallum, Ryan, Graham, (By Request of the Department of Institutions). Referred to Committee on Judiciary.

SB 157, introduced by R. Smith, (By Request of the Secretary of State). Referred to Committee on Business and Industry.

SB 164, introduced by Peterson, (By Request of the Administrative Code Committee). Referred to Committee on Judiciary.

SB 194, introduced by Lensink. Referred to Committee on Education and Cultural Resources.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 60 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Meyer, Nordtvedt, Oberg, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Thoft, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 79

Noes: Bardanouve, Brand, Day, Fabrega, Hand, Manning, Moore, O'Connell, Pavlovich, Pistoria, Rosenthal, Seifert, Smith, Teague, Tropila.
Total 15

Excused: Eudaily, Hayne, Johnston.
Total 3

Absent or not voting: Lund, Nathe, Wyrick.
Total 3

House Bill No. 128 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Burnett.
Total 1

Excused: Eudaily, Hayne, Johnston.
Total 3

Absent or not voting: Bardanouve, Ellison, Lund, Nathe.
Total 4

House Bill No. 189 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Eudaily, Hayne, Johnston.
Total 3

Absent or not voting: Lund, Nathe, South.
Total 3

House Bill No. 238 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Eudaily, Hayne, Johnston.
Total 3

Absent or not voting: Lund, Nathe.
Total 2

House Bill No. 290 was passed by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Schultz, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 78

Noes: Anderson, Bengtson, Burnett, Conroy, Day, Ellerd, Hurwitz, Marks, Moore, K. Robbins, Roth, Sales, Seifert, Smith, Vinger, Yardley.
Total 16

Excused: Eudaily, Hayne, Johnston.
Total 3

Absent or not voting: Lund, Nathe, Scully.
Total 3

House Bill No. 306 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Eudaily, Hayne, Johnston.
Total 3

Absent or not voting: Ellison, Lund, Nathe, Scully.
Total 4

House Bill No. 363 was passed by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Baeth, Burnett, Roth, Shelden.
Total 4

Excused: Eudaily, Hayne, Johnston.
Total 3

Absent or not voting: Cooney, Lund, Nathe, Waldron.
Total 4

House Bill No. 370 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Sales.
Total 1

Excused: Eudaily, Hayne, Johnston.
Total 3

Absent or not voting: Hand, Lund, Nathe.
Total 3

House Bill No. 407 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: Hirsch.
Total 1

Excused: Eudaily, Hayne, Johnston.
Total 3

Absent or not voting: Lund, Nathe.
Total 2

House Bill No. 432 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.

Total 91

Noes: Azzara, Bennett, Brand, Dussault, Marks, Oberg.
Total 6

Excused: Eudaily, Hayne, Johnston.
Total 3

Absent or not voting: None.
Total 0

House Bill No. 438 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: Brand, Dussault, Frates, Harper, Kessler, Metcalf, Oberg, Waldron.
Total 8

Excused: Eudaily, Hayne, Johnston.
Total 3

Absent or not voting: Azzara.
Total 1

House Bill No. 442 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Brand, Cooney, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellis, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Kanduch, Kemmis, Kessler, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Meyer, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Sivertsen, South, Spilker, Uhde, Vincent, Vinger, Williams, Yardley, Mr. Speaker.
Total 62

Noes: Bertelsen, Burnett, Conroy, Curtiss, Day, Ellerd, Ellison, Ernst, Hand, Hurwitz, Keedy, Keyser, Kropp, Marks, Metcalf, Moore, Nathe, Nordtvedt, K. Robbins, Roth, Sales, Schultz, Scully, Seifert, Smith, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Waldron, Wood, Wyrick.
Total 34

Excused: Eudaily, Hayne, Johnston.
Total 3

Absent or not voting: Shelden.
Total 1

House Bill No. 443 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day,

Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Eudaily, Hayne, Johnston.
Total 3

Absent or not voting: None.
Total 0

House Joint Resolution No. 16 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Scully, Shelden, South, Staigmiller, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 67

Noes: Burnett, Donaldson, Ellerd, Ellison, Ernst, Feda, Hemstad, Hurwitz, Iverson, Keyser, Kropp, Kvaalen, Lory, Moore, Nordtvedt, Ramirez, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, Spilker, Stobie, Thoft, Underdal, Vinger, Wood, Wyrick.
Total 29

Excused: Eudaily, Hayne, Johnston.
Total 3

Absent or not voting: Ellis.
Total 1

Senate Amendments to House Bill No. 167 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 92

Noes: None.
Total 0

Excused: Eudaily, Hayne, Johnston.
Total 3

Absent or not voting: Bengtson, Ellerd, Ellis, Hemstad, Wyrick.
Total 5

Consent Calendar

House Bill No. 214 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Burnett, Donaldson.
Total 2

Excused: Eudaily, Hayne, Johnston.
Total 3

Absent or not voting: Ellerd, Waldron.
Total 2

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/7/79

Correctly enrolled - HB 65, HB 96, HB 120, HB 130, HB 165, HB 170, HJR 2.

Examined by the Sponsor and found to be correct - HB 130, HB 120, HB 165, HB 96, HB 65, HB 170, HJR 2.

Signed by the Speaker on adjournment, 2/6/79 - SB 41, SB 45.

Will be signed by the Speaker on adjournment, 2/7/79 - HB 65, HB 96, HB 120, HB 130, HB 165, HB 170, HJR 2.

Do Pass

Dussault explained the Standing Committee Report of the Rules Committee concerning Chapter 11 of the Joint Rules.

RULES (Dussault, Chairman): 2/7/79

Respectfully report that the Joint Rules be amended as follows:

Strike: Chapter 11 in its entirety
Insert: A new Chapter 11 that reads as follows:

CHAPTER 11
Statement of Legislative Intent

11-1. Definition. For the purpose of compliance with the Legislative History Act (Title 5, chapter 4, part 4, MCA), a statement of

legislative intent regarding a bill will express the common understanding of those components of the legislature voting on the bill. This statement differs from a purpose clause which is used in general to describe the broad overall objectives of a bill while a statement of intent is used to guide the details of interpretation by those charged with implementation of the bill and is phrased in terms of contingencies, examples or other matter inappropriate for expression as statutory language.

11-2. Limitation. A statement of intent may not accompany any bill that does not statutorily require one unless a committee (standing committee, committee of the whole or conference committee) agrees by a two-thirds vote to attach the statement.

11-3. Statement of intent to accompany bill—when—how. A statement shall accompany a bill as follows:

(1) Statements of intent are required for bills delegating rule making or licensing authority. The statement shall be entered on ALTER, printed on paper of the same color and in the same manner as the bill, and shall be attached to the bill. The statement shall be printed on paper of the same color as the bill and attached to the bill on all subsequent printings of the bill.

(2) The standing committee of the house in which the bill originates is responsible for authoring a statement of intent for a bill requiring one.

11-4 Modification. Any committee subsequently considering the bill may amend a previous statement. The statement of intent will be reflected in the history of the bill.

11-5. Conference committee on intent only. When the second house concurs in a bill without amendments but supercedes a previous statement of intent, the bill may not be enrolled until both houses have agreed on a statement of intent. If the statement is attached to a bill that does not statutorily require one, the conference committee can delete the statement in its entirety.

A new statement of intent written by the second house will be processed in the same manner as a second house amendment.

A regular conference committee may be appointed solely to resolve differences of intent if the second house's statement of intent is not so accepted.

And as amended, be adopted. Report adopted. (87-0)

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Day in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 193 do pass. Motion failed. (41-54)

That HB 193 do not pass. (56-37)

That HB 268 do pass. Motion failed. (33-57)

That HB 268 do not pass. (61-30)

That HB 288, second reading copy, be amended as follows: (89-0)

1. Page 2, line 5.
Following: "EXCEPT ON"
Insert: "municipal special improvement district"

And as amended, do pass. (90-0)

That HB 292 do pass. Motion failed. (36-59)

That HB 292 do not pass. (61-33)

That HB 310 do pass. (79-0)

That HB 313 do pass. (67-18)

Scully moved that HB 323 pass consideration for the day. Motion carried.

That HB 327 do pass. (83-2)

Johnston present at this time.

That HB 365 do pass. (53-42)

That HB 424, second reading copy, be amended as follows: (82-2)

1. Page 6, lines 4 and 5.
Following: line 3
Strike: "which does not receive its signals from the television translator station and"

And as amended, do pass. (80-6)

That HJR 18 do pass. (81-3)

That SB 147 be concurred in. (90-0)

That SA to HB 7 be concurred in. (88-0)

Ramirez moved that SA to HB 75 pass consideration for the day. Motion carried.

Dussault moved that the Committee of the Whole Report be deemed read. Motion carried.

That the Committee rise and report. (Day, Chairman). Report adopted. (80-8)

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/7/79
Correctly enrolled - HB 55, HB 134.

Examined by Sponsor and found to be correct - HB 134, HB 55.

Will be signed by the Speaker on adjournment, 2/7/79 - HB 55, HB 134, SB 5.

Do Pass

AGRICULTURE, LIVESTOCK AND IRRIGATION (Day, Chairman): 2/7/79

SB 68, third reading copy, be amended as follows:

1. Page 1, line 14.
Following: "is made"
Insert: "or whenever a buyer of livestock requests a county-line or state-line inspection for livestock exempt from the change-of-ownership inspection when purchased in lots of 5 head or less"

And as amended, be concurred in. Report adopted.

JUDICIARY (Scully, Chairman): 2/7/79
HB 518, do pass. Report adopted.
HB 519, do pass. Report adopted.

LOCAL GOVERNMENT (H. Robbins, Chairman): 2/6/79
HB 330, do pass. Report adopted.
HB 361, do pass. Report adopted.
HB 388, introduced bill, be amended as follows:

1. Title, line 6.
Following: "AMENDING"
Strike: "SECTION"
Insert: "SECTIONS"
Following: "7-2-4503"
Insert: "AND 7-2-4608"

2. Page 1.
Following: line 20
Insert: "SECTION 2. SECTION 7-2-4608, MCA, IS AMENDED TO READ:

'7-2-4608. Restrictions on annexation power. (1) No territory which, at the time such petition for such proposed annexation is presented to such council or legislative body, forms any part of any incorporated city or town shall be annexed under the provisions of this part.

(2) No parcel of land which, at the time such petition for such proposed annexation is presented to such council or legislative body, is used in whole or in part for agricultural, mining, smelting, refining, or transportation~~, or any industrial or manufacturing~~ purpose or any purpose incident thereto shall be annexed under the provisions of this part.'"
Renumber: subsequent section

And as amended, do pass. Report adopted.

TAXATION (Huennekens, Chairman): 2/7/79
HB 367, introduced bill, be amended as follows:

1. Title, line 4.
Following: "WOOL"
Insert: "AND SHEEP"

2. Page 3, line 6.
Following: "wool"
Insert: "and sheep"

3. Page 3, line 7.
Following: "and"
Insert: "sheep,"

And as amended, do pass. Report adopted.

Adverse Committee Reports

AGRICULTURE, LIVESTOCK AND IRRIGATION (Day, Chairman): 2/7/79

HB 271, do not pass.

JUDICIARY (Scully, Chairman): 2/7/79

HB 530, do not pass.

On motion by Huennekens, the Adverse Committee Report on HB 430 was adopted by the following vote: (81-6)

Ayes: Anderson, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Ellis, Ernst, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 81

Noes: Burnett, Dussault, Ellison, Rosenthal, Roth, Vinger.
Total 6

Excused: Eudaily, Hayne.
Total 2

Absent or not voting: Azzara, Baeth, Conroy, Daily, Ellerd, Fagg, Keedy, Marks, Oberg, Scully, South.
Total 11

On motion by Huennekens, the Adverse Committee Report on HB 433 was adopted by the following vote: (78-12)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Curtiss, Dassinger, Day, Donaldson, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Feda, Frates, Gesek, Gilligan, Hand, Harper, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 78

Noes: Brand, Burnett, Cooney, Dozier, Gould, Harrington, Johnson, McBride, Menahan, O'Connell, Quilici, Waldron.
Total 12

Excused: Eudaily, Hayne.
Total 2

Absent or not voting: Bengtson, Conroy, Daily, Fagg, Keedy, Marks, Scully, South.
Total 8

MOTIONS

Dussault moved that HB 313 be taken from Engrossing and referred to the Committee on Natural Resources. Motion carried.

Dussault moved that HB 323 be taken from Second Reading and referred to the Committee on Labor and Employment Relations. Motion carried.

Quilici moved that HB 606 be rereferred from the Committee on Business and Industry to the Committee on State Administration. Motion carried.

Menahan moved that HB 613 be rereferred from the Committee on Judiciary to the Committee on State Administration. Motion carried.

SPECIAL ORDERS OF THE DAY

Questions were asked on SB 125, SB 127.

Dussault moved that the House adjourn until 2:30 p.m., February 8, 1979.

Motion carried.

House adjourned at 5:55 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

THIRTY-SECOND LEGISLATIVE DAY

Helena, Montana
February 8, 1979

House Chambers
Capitol Building

House convened at 2:33 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Eudaily, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Twenty-eighth Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/8/79
Correctly printed - HB 100, HB 129, HB 212, HB 227, HB 302, HB 330, HB 331, HB 335, HB 361, HB 367, HB 368, HB 378, HB 388, HB 390, HB 422, HB 454, HB 464, HB 475, HB 493, HB 495, HB 500, HB 514, HB 518, HB 519.
Considered correctly engrossed - HB 310, HB 327, HB 365, HJR 18.
Correctly engrossed - HB 288.
Correctly enrolled - HB 4.

Examined by the Sponsor and found to be correct - HB 4.

Will be signed by the Speaker on adjournment, 2/8/79 - HB 4.

Signed by the Speaker on adjournment, 2/7/79 - SB 5, HB 55, HB 65, HB 96, HB 120, HB 130, HB 134, HB 165, HB 170, HJR 2.

Do Pass

BUSINESS AND INDUSTRY (Quilici, Chairman): 2/8/79
HB 228, do pass. Report adopted.

LOCAL GOVERNMENT (H. Robbins, Chairman): 2/6/79
HB 274, introduced bill, be amended as follows:

1. Title, line 6.
Following: "WATER"
Strike: "OR"
Insert: ","
Following: "SEWER"
Insert: ", OR WATER AND SEWER"

2. Page 1, line 12.
Following: "water"
Strike: "or"
Insert: ","
Following: "sewer"
Insert: ", or water and sewer"

3. Page 1, line 18.
Following: "water"
Strike: "or"
Insert: ","
Following: "sewer"
Insert: ", or water and sewer"

4. Page 1, line 23.

Following: "water"
Strike: "or"
Insert: ","
Following: "sewage"
Insert: ", or water and sewage"

5. Page 2, line 2.
Following: "water"
Strike: "or"
Insert: ","

6. Page 2, line 3.
Following: "sewer"
Insert: ", or water and sewer"

7. Page 2, line 4.
Following: "town"
Strike: "as of"
Insert: "where service commences on or after"
Following: "July 1, 1979,"
Strike: "and who continues service after July 1, 1979,"

8. Page 2, line 8.
Following: "the"
Insert: "water, sewer, or"

And as amended, do pass. Report adopted.

STATE ADMINISTRATION (Brand, Chairman): 2/7/79
HB 337, do pass. Report adopted.
HB 343, do pass. Report adopted.
HB 445, do pass. Report adopted.
HB 469, do pass. Report adopted.

Adverse Committee Reports

BUSINESS AND INDUSTRY (Quilici, Chairman): 2/8/79
HB 486, do not pass.

STATE ADMINISTRATION (Brand, Chairman): 2/7/79
HB 346, do not pass.

Hand, O'Connell, Lien, Staigmiller, Conroy, K. Robbins, Uhde, Tropila, Pavlovich, Johnston objected that HB 315 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

Vincent, Metcalf, Shelden, Keedy, Kessler, South, Kemmis, Waldron, Harper, Yardley objected that HB 345 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

MESSAGES FROM THE OTHER HOUSE

Senate adopted Senate Rules Standing Committee Report that Senate Joint Resolution No. 2, Chapter 11, be amended. 2/7/79

The Senate on 2/7/79, acceded to the request of the House of Representatives and appointed a Conference Committee to meet with a like committee of the House to confer on House Bill No. 40.

The President appointed the following members:

Senator Himsl, Chairman

Senator Lensink
Senator Norman

House Bill concurred in and returned to the House: 2/7/79

House Bill No. 97, introduced by Feda, Vinger, Menahan

Senate Bill No. 162, introduced by Mathers, requiring adoption by an affirmative roll call vote of two-thirds of all members of the Legislature, passed by the Senate and transmitted to the House with the following vote: 2/7/79

SENATE

YEAS - 31
NAYS - 19

Senate Bills passed as amended and transmitted to the House for concurrence: 2/7/79

Senate Bill No. 81, introduced by Dover, Lowe

Senate Bill No. 84, introduced by Blaylock

Senate Bill No. 203, introduced by McCallum

Senate Bill No. 237, introduced by Van Valkenburg

Senate Bill No. 251, introduced by Boylan

MOTIONS

Scully moved that HB 345 be taken from Printing and referred to the Committee on Judiciary. Motion carried.

Dussault moved that HB 366 be taken from Printing and placed on Second Reading on the Thirty-third Legislative Day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 638, introduced by Azzara, Dussault, Towe, Blaylock, Regan, Conover, Jergeson, Holmes, Kessler, Kemmis, Metcalf, Bardanouve, Fagg, Magone, Manning, Dassinger, Reichert, Shelden. Referred to Committee on Judiciary.

HB 639, introduced by Lien, Manley, Conroy, Day, Burnett, Boylan, Nathe, Ellerd, Staigmiller, Johnston, Keyser, Yardley, Thiessen, Ernst. Referred to Committee on Taxation.

HB 640, introduced by Lien, Manley, Conroy, Day, Nathe, Burnett, Wyrick. Referred to Committee on Taxation.

HB 641, introduced by Reichert, Bennett, E. Smith, Kemmis, Fabrega, Oberg, Holmes, Keedy, Rosenthal, Dassinger, Nordtvedt, Yardley, Metcalf, Vincent, Dussault, Harper, Dozier, Day, Jergeson, Shelden, Hemstad, Conover, Van Valkenburg, Johnson, McBride, Huennekens, Burnett, Manning, Waldron, Azzara, Regan. Referred to Committee on Judiciary.

HB 642, introduced by Harper, Stobie. Referred to Committee on Labor and Employment Relations.

HB 643, introduced by Fabrega, (By Request of the Department of Revenue). Referred to Committee on Taxation.

HB 644, introduced by Stobie, H. Robbins, Vinger, Sales, Pistoria, Bertelsen. Referred to Committee on Local Government.

HB 645, introduced by Fabrega. Referred to Committee on Local Government.

HB 646, introduced by Fabrega, Nordtvedt. Referred to Committee on Taxation.

HB 647, introduced by Harrington, Johnson, Cooney, Vincent, Holmes, Menahan, McBride, Daily, Pavlovich, Quilici, Frates, O'Connell, Harper, Kanduch, Brand, Metcalf, Gesek, Uhde, Huennekens, Gilligan, Teague, Ellis, Manning, Dozier, Mehrens, Shelden, Stimatz, Healy. Referred to House Select Committee on Aging.

HB 648, introduced by Scully. Referred to Committee on Fish and Game.

HB 649, introduced by Kemmis, Kessler, Fagg, Vincent, Keedy, Roskie, McBride, Thoft. Referred to Committee on Business and Industry.

HB 650, introduced by Pavlovich, Johnston, Daily, Menahan. Referred to Committee on Business and Industry.

HB 651, introduced by Spilker, Metcalf, Harper, Reichert, Kemmis, Kessler, Burnett, Ramirez. Referred to Committee on Local Government.

HB 652, introduced by Harper, Manning, Bengtson. Referred to Committee on Judiciary.

HB 653, introduced by Kolstad, Roth, Hurwitz, Keyser, Schultz, Iverson, Bardanouve. Referred to Committee on Human Services.

HB 654, introduced by Schultz, Porter, Bennett, Kropp, Manuel, Ernst, Lien, Hurwitz. Referred to Committee on State Administration.

HB 655, introduced by Moore, Goodover, O'Hara, Fabrega. Referred to Committee on Human Services.

HB 656, introduced by Quilici, Nathe, Ellison, Daily, Harrington. Referred to Committee on State Administration.

HB 657, introduced by Uhde, Bardanouve, Harper, Scully, Ramirez, Fabrega, Yardley, Metcalf, Feda, Waldron. Referred to Committee on State Administration.

HB 658, introduced by Menahan, Brand, Manning, Pavlovich, Johnston, Pistoria, Bengtson, Gilligan. Referred to Committee on Business and Industry.

HB 659, introduced by Lory, Ellis. Referred to Committee on Local Government.

HB 660, introduced by Gesek, Harrington, Metcalf, Uhde, Hand, Ellis, Wyrick, Waldron. Referred to Committee on Business and Industry.

HB 661, introduced by Manuel. Referred to Committee on Local Government.

HB 662, introduced by Brand, Pistoria, Manning, Menahan, O'Connell, Harrington, Burnett. Referred to Committee on Local Government.

HB 663, introduced by Brand, (By Request of the Department of Fish and Game). Referred to Committee on Fish and Game.

HB 664, introduced by Scully. Referred to Committee on State Administration.

HB 665, introduced by Ellis. Referred to Committee on Appropriations.

HB 666, introduced by Conroy, Hand, Brand, Nathe. Referred to Committee on Judiciary.

HB 667, introduced by Kemmis, Norman, Fagg, Shelden, Azzara, Manning, Fabrega, Reichert, Feda, Porter, Towe, Baeth, Tropila, Quilici, Regan, Palmer, Boylan, R. Smith. Referred to Committee on Business and Industry.

HB 668, introduced by Ramirez, Scully. Referred to Committee on Judiciary.

HB 669, introduced by Ramirez, Porter. Referred to Committee on Taxation.

HB 670, introduced by O'Connell. Referred to Committee on Local Government.
HB 671, introduced by Menahan, Harrington, Quilici, Daily, Pavlovich, Brand, Manning, Gilligan, Waldron. Referred to Committee on Labor and Employment Relations.
HB 672, introduced by Menahan, Harrington, Quilici, Fabrega, Moore, Daily, Brand, Manning, Gilligan, Waldron. Referred to Committee on Labor and Employment Relations.
HB 673, introduced by Keedy. Referred to Committee on Judiciary.
HB 674, introduced by Day, H. Robbins, Wood, Lien, Thiessen, Cooney. Referred to Committee on Education and Cultural Resources.
HB 675, introduced by Metcalf, Thomas, Kolstad, Hayne. Referred to Committee on Education and Cultural Resources.
HJR 33, introduced by Frates, Rosenthal, Day, Bengtson, Daily, Gesek, Keedy, Kemmis, Uhde, K. Robbins, Staigmiller, Azzara, Metcalf, Manning, Baeth, Shelden, Kanduch, Harrington, O'Connell, Keyser, Holmes, Menahan, Oberg, Manuel, Reichert, Feda, Wyrick, Magone, Teague, Dassinger, Vincent, H. Robbins, Harper, Dozier, Hirsch, Dussault, Huennekens, Quilici, Tropila, Schultz, Yardley, Fabrega, Ellis, Meyer, Jensen, Ernst, Ellison, Regan, Hemstad, S. Brown, Vinger, Fasbender, Williams, McCallum, Gerke, Blaylock, Conover, Kvaalen, Van Valkenburg, Underdal, Healy, Mehrens, Stobie, Fagg, Lensink. Referred to Committee on Taxation.

The following Senate bills were introduced, read first time and referred to committees:

SB 81, introduced by Dover, Lowe, (By Request of the State Commissioner of Insurance). Referred to Committee on Business and Industry.
SB 84, introduced by Blaylock, (By Request of the Department of Business Regulation). Referred to Committee on Business and Industry.
SB 162, introduced by Mathers, Ramirez, E. Smith, Kolstad, Moore, Marks, Fabrega, Feda, Ellison, Manley, Graham, Thiessen, Lowe, Vinger, Turnage, Hafferman, Huennekens, Seifert, Conroy, Boylan, Stobie, Underdal, Hemstad, Meyer, Goodover, Johnston, Bengtson, Sivertsen, Hayne, Teague, Staigmiller, Smith, Donaldson, Spilker, Porter, Fagg, Lien, Hand. Referred to Committee on Taxation.
SB 203, introduced by McCallum. Referred to Committee on Education and Cultural Resources.
SB 237, introduced by Van Valkenburg. Referred to Committee on Local Government.
SB 251, introduced by Boylan. Referred to Committee on Highways and Transportation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Keyser in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Brand moved that HB 149 be placed at the bottom of the board.

That HB 162 do pass. (67-21)

That the Committee rise and report. (Keyser, Chairman). Report adopted. (64-6)

House at ease at 3:45 p.m.

COMMUNICATIONS AND PETITIONS

House reconvened at 4:07 p.m.

Dussault gave a report on the Rules Committee meeting concerning the question of the constitutionality on HB 38. The Rules Committee decided that they would like to have the opportunity to research this question. It was also the opinion of the Rules Committee that the Chairman of the Committee of the Whole could not rule on the constitutionality question.

MOTIONS

Ramirez moved that HB 38 pass consideration for the day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Keyser in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 79, second reading copy, be amended as follows: (91-0)

1. Title, line 6.
Following: "1979"
Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 1.
Following: line 11
Insert: "Section 2. Effective date. This act is effective on its passage and approval."

And as amended, do pass. (78-9)

Menahan moved that HB 187 be placed at the bottom of the board. Motion carried.

That HB 247 do pass. (81-6)

That HB 301 do pass. (77-8)

That HB 354 do pass. (70-16)

That HB 374 do pass. (78-10)

That HB 415 do pass. (73-14)

That HB 425 do pass. (69-26)

That HJR 10 do pass. (61-27)

Dussault moved that SB 52 pass consideration for the day. Motion carried.

Dussault moved that SB 68 pass consideration for the day. Motion carried.

Dussault moved that SB 77 pass consideration for the day. Motion carried.

That HB 149, second reading copy, be amended as follows: (78-1)

1. Page 2, lines 2 and 3.
Following: "out of"
Strike: "any funds of the department of institutions"
Insert: "the prison ranch revolving account"

And as amended, do pass. Motion failed. (43-50)

That HB 149, as amended, do not pass. (52-41)

That HB 187 do pass. (69-20)

That SA to HB 75 be not concurred in. (82-9)

That the Committee rise and report. (Keyser, Chairman). Report adopted. (82-4)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 89 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Eudaily.
Total 1

Absent or not voting: Azzara, Gesek, Hurwitz, Keedy.
Total 4

Senate Amendments to House Bill No. 7 were concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf,

Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Eudaily.
Total 1

Absent or not voting: Azzara, Gesek, Hurwitz.
Total 3

Consent Calendar

Senate Bill No. 125 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Eudaily.
Total 1

Absent or not voting: Azzara, Gesek, Hurwitz, Thoft.
Total 4

Senate Bill No. 127 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Nathe, Smith.
Total 2

Excused: Eudaily.

Total 1

Absent or not voting: Azzara, Gesek, Hurwitz, Roth.
Total 4

REPORTS OF STANDING COMMITTEES

Dussault moved that the Reports of Standing Committees be deemed read. Motion carried.

BILLS (Metcalf, Chairman): 2/8/79
Delivered to the Governor for his approval at 3:30 p.m., 2/8/79 - HB 130.

Do Pass

LABOR AND EMPLOYMENT RELATIONS (Williams, Chairman): 2/6/79

HB 190, introduced bill, be amended as follows:

1. Title, line 6.
Following: "TO"
Insert: "THE TAXABLE WAGE BASE,"

2. Title, line 7.
Following: "CONTRIBUTIONS"
Insert: ","

3. Title, line 8.
Following: "39-51-1103,"
Insert: "39-51-1108,"

4. Title, line 9.
Following: "MCA;"
Strike: "AND"

5. Title, line 10.
Following: "39-51-1107,"
Strike: "AND"
Following: "THROUGH"
Insert: "39-51-1203, AND"
Following: "MCA"
Insert: "; REPEALING SECTION 39-51-1204, MCA, RETROACTIVELY; AND PROVIDING A RETROACTIVE EFFECTIVE DATE"

6. Page 6.
Following: line 4
Insert: "SECTION 8. SECTION 39-51-1108, MCA, IS AMENDED TO READ:

'39-51-1108. Amount of wages per employee subject to contribution. (1) Payment of contributions shall apply only to wages paid up to and including $4,200 by an employer to an employee with respect to employment during the calendar years 1972, 1973, 1974, and the first calendar quarter of year 1975.

(2) For the second calendar quarter of the calendar year 1975 ~~and thereafter~~ through the fourth calendar quarter of 1977, the taxable wage base ~~shall be established~~ for each year ~~based upon the reserve percent of total wages or the amount of taxable wage base specified in the Federal Unemployment Tax Act, whichever is higher~~ is $4,800.

(3) Effective January 1, 1978, ~~and thereafter~~ the Federal Unemployment Tax Act provides that contributions shall be paid on wages up to and including $6,000 per employee.

~~Reserve Percent of Total Wages~~	~~Taxable Wage Base~~
~~2.50% and above~~	~~$4,200~~
~~2.25 to 2.49%~~	~~4,400~~
~~2.00 to 2.24%~~	~~4,600~~
~~Less than 2.00%~~	~~4,800~~

(4) For the first calendar quarter of 1979 and thereafter, the taxable wage base for each year is the greater of:

(a) the average annual wage as determined under 39-51-2201(2) (rounded to the nearest $100) during the calendar year immediately preceding the most recently completed calendar year (i.e., the calendar year 1977 for the payment year 1979); or

(b) the amount of taxable wage base specified in the Federal Unemployment Tax Act.'"

Renumber: subsequent sections

7. Page 11, line 23.
Following: "the"
Strike: "percent of average trust fund balance of"
Insert: "ratio of the trust fund balance as of December 31 prior to the rate year to total wages in covered employment for"

8. Page 11, line 25.
Following: "date"
Strike: "to total wages in covered employment for the same period"

9. Page 12, line 8.
Following: "section"
Insert: ", except that for calendar year 1979, the tax rate Schedule X shall be applied as provided for in 39-51-1202"

10. Page 13, line 14.
Strike: "(.015) (.0125)"
Insert: "(.0125) (.0075)"

11. Page 20, line 13.
Following: line 12
Strike: "and"
Following: "through"
Insert: "39-51-1203, and"
Following: "repealed."
Insert: "Section 39-51-1204, MCA, is repealed retroactive to January 1, 1979."

12. Page 20.
Following: line 13
Insert: "Section 22. Effective date and retroactive application. Section 39-51-1108, MCA, is effective upon passage and approval and shall be considered to apply as of January 1, 1979."

And as amended, do pass. Report adopted.

NATURAL RESOURCES (Shelden, Chairman): 2/8/79
HB 377, introduced bill, be amended as follows:

1. Page 2, line 10.

Following: "with"
Insert: "and according to the standards set forth by"
Following: "national"
Insert: "cooperative"

2. Page 2, line 11.
Following: "program"
Insert: "and the Montana state agricultural experiment station"

3. Page 2, line 20.
Following: "national"
Insert: "cooperative"

4. Page 3, line 4 through line 2 on page 4.
Following: "(1)"
Strike: line 4 on page 3 through line 2 on page 4 in their entirety
Insert: "The director of the department of natural resources and conservation shall appoint a soil survey advisory council to assist and cooperate with the department in formulation and implementation of the master plan for completing the soil survey and mapping program. The soil survey advisory council shall consist of representatives of local, state, and federal agencies and private organizations having needs for or who could contribute expertise for the soil surveys and the mapping program."
Renumber: subsequent subsections

5. Page 4, line 5.
Strike: "committee"
Insert: "council"

6. Page 4, line 6.
Strike: "committee"
Insert: "council"

7. Page 4, line 9.
Following: "conservation"
Insert: ", with the advice and recommendations of the advisory council,"

8. Page 4, line 12.
Following: "plan"
Strike: "and complete"
Insert: "to accelerate the completion of"
Following: "the"
Insert: "national cooperative"

9. Page 4, lines 14 through 21.
Strike: section 6 in its entirety
Renumber: subsequent sections

10. Page 4, line 23.
Following: "[this act]"
Insert: "and those funds identified in [section 3, subsection (2)]"

And as amended, do pass. Report adopted.

Adverse Committee Reports

LABOR AND EMPLOYMENT RELATIONS (Williams, Chairman): 2/8/79

HB 515, do not pass.

On motion by Williams, the Adverse Committee Report on HB 158 was adopted by the following vote: (53-37)

Ayes: Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Ellison, Feda, Frates, Gould, Hand, Harper, Harrington, Holmes, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Lien, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Nordtvedt, Oberg, O'Connell, Pavlovich, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Scully, Shelden, Teague, Uhde, Vincent, Vinger, Waldron, Williams, Yardley.
Total 53

Noes: Anderson, Burnett, Curtiss, Ellerd, Ellis, Ernst, Fabrega, Fagg, Hayne, Hemstad, Hirsch, Huennekens, Johnston, Keyser, Kropp, Kvaalen, Lory, Lund, Marks, Meyer, Moore, Nathe, Porter, Ramirez, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Stobie, Tropila, Underdal, Wood, Wyrick.
Total 37

Excused: Eudaily.
Total 1

Absent or not voting: Azzara, Donaldson, Gesek, Gilligan, Hurwitz, Pistoria, Staigmiller, Thoft, Mr. Speaker.
Total 9

On motion by Johnson, the Adverse Committee Report on HB 271 was adopted by the following vote: (61-32)

Ayes: Baeth, Bardanouve, Bengtson, Bennett, Brand, Conroy, Daily, Day, Dozier, Ellerd, Ernst, Fagg, Feda, Frates, Hand, Harper, Harrington, Hemstad, Huennekens, Iverson, Johnson, Kanduch, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Uhde, Vincent, Vinger, Williams, Yardley, Mr. Speaker.
Total 61

Noes: Anderson, Bertelsen, Burnett, Cooney, Curtiss, Dassinger, Dussault, Ellis, Ellison, Fabrega, Gould, Hayne, Hirsch, Holmes, Jensen, Johnston, Keedy, Keyser, Lory, Meyer, Moore, Oberg, Rosenthal, Sales, Seifert, Stobie, Teague, Tropila, Underdal, Waldron, Wood, Wyrick.
Total 32

Excused: Eudaily.
Total 1

Absent or not voting: Azzara, Donaldson, Gesek, Gilligan, Hurwitz, Thoft.
Total 6

On motion by Scully, the Adverse Committee Report on HB 530 was adopted by the following vote: (70-21)

Ayes: Anderson, Baeth, Bengtson, Burnett, Conroy, Cooney, Curtiss, Daily, Day, Dozier, Dussault, Ellerd, Ernst, Fabrega, Fagg, Frates, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Metcalf, Meyer, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 70

Noes: Bardanouve, Bennett, Bertelsen, Brand, Dassinger, Ellis, Ellison, Feda, Gould, Hirsch, Kanduch, Kvaalen, Manuel, Menahan, Moore, Nathe, Oberg, South, Underdal, Vinger, Wood.
Total 21

Excused: Eudaily.
Total 1

Absent or not voting: Azzara, Donaldson, Gesek, Gilligan, Hurwitz, Marks, Smith, Thoft.
Total 8

On motion by Quilici, the Adverse Committee Report on HJR 20 was adopted by the following vote: (67-26)

Ayes: Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Cooney, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellison, Ernst, Fabrega, Fagg, Feda, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, McBride, Magone, Manning, Marks, Metcalf, Meyer, Moore, Oberg, O'Connell, Porter, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Stobie, Thoft, Uhde, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 67

Noes: Anderson, Brand, Conroy, Daily, Dozier, Ellis, Frates, Johnston, Keedy, Lien, Manuel, Menahan, Nathe, Nordtvedt, Pavlovich, Pistoria, Quilici, H. Robbins, Scully, Staigmiller, Teague, Tropila, Underdal, Vincent, Vinger, Waldron.
Total 26

Excused: Eudaily.
Total 1

Absent or not voting: Azzara, Donaldson, Gesek, Gilligan, Gould, Hurwitz.
Total 6

MOTIONS

Dussault moved that the Speaker be authorized to appoint a conference committee of three to meet with a like committee from the Senate on Senate Amendments to HB 75. Motion carried.

Scully moved that the Speaker be directed to write a letter to executive branch agencies testifying before a committee to take a proponent or opponent position on bills they are testifying to before the legislative committees. After considerable discussion, Gould moved the previous question. Motion carried. (64-30) Whereupon, Scully's motion passed. (58-36)

Moore moved that the Speaker be directed to inform committee chairmen that when a committee hearing has been held and the committee calls in opponents or proponents during the executive session, that the sponsor of the bill be informed. A lengthy discussion was held, after which, Moore withdrew his motion and made a request that the Speaker inform committee chairmen of the above circumstance.

SPECIAL ORDERS OF THE DAY

Consent Calendar

Questions were asked on SB 53.

Dussault moved that the House adjourn until 2:30 p.m., February 9, 1979.

Motion carried.

House adjourned at 6:38 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

THIRTY-THIRD LEGISLATIVE DAY

Helena, Montana
February 9, 1979

House Chambers
Capitol Building

House convened at 2:34 p.m., Mr. Speaker Pro Tem in the Chair. Invocation by Father Pelletier. Pledge of Allegiance to the Flag.

Roll call. All members present except Eudaily, Gerke, Gesek, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Twenty-ninth Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/9/79
Considered correctly engrossed - HB 162, HB 187, HB 247, HB 301, HB 354, HB 374, HB 415, HB 425, HJR 10.
Correctly printed - HB 228, HB 274, HB 315, HB 337, HB 343, HB 445, HB 469.
Correctly engrossed - HB 424.

Do Pass

BUSINESS AND INDUSTRY (Quilici, Chairman): 2/9/79
HB 441, introduced bill, be amended as follows:

1. Page 6, line 13.
Following: "~~five~~"
Strike: "three"
Insert: "five"

And as amended, do pass. Report adopted.

HB 511, introduced bill, be amended as follows:

1. Page 2, line 3.
Following: "premises"
Insert: "between the hours of 4:00 p.m. through 2:00 a.m."

And as amended, do pass. Report adopted.

TAXATION (Huennekens, Chairman): 2/9/79
HB 63, second reading copy, do pass. Report adopted.

STATEMENT OF INTENT RE: House Bill No. 63

This bill raises the tax on gasoline and diesel fuel by one cent a gallon in order to provide funds to enable the state of Montana to benefit from a large amount of federal matching funds now available for interstate construction.

The original bill was amended by adding language in subsection (3) of section 1 and subsection (2) of section 2 in order to make it clear that the money derived from the tax increase may be used only for matching federal interstate funds.

Further limiting language was added requiring that the money raised by the tax increase be used only after any highway funds currently maintained for interstate construction and maintenance are obligated to insure that money currently being maintained for the purpose of matching federal funds would not be diverted to any other use.

It is understood and intended that the money raised from this increase will create a fund for matching federal interstate funds over and above the level of funding normally used by the Department of Highways for the purpose of matching federal interstate funds.

/s/Huennekens

HB 94, introduced bill, be amended as follows:

1. Page 2, line 24.
Following: "plus"
Strike: "20%"
Insert: "50%"

2. Page 3, line 1.
Following: "plus"
Strike: "20%"
Insert: "50%"

3. Page 5, line 1.
Following: "plus"
Strike: "20%"
Insert: "50%"

And as amended, do pass. Report adopted.

HB 457, introduced bill, be amended as follows:

1. Page 1, line 12.
Following: "and"
Insert: "upon request"

And as amended, do pass. Report adopted.

HB 466, do pass. Report adopted.

Adverse Committee Reports

BUSINESS AND INDUSTRY (Quilici, Chairman): 2/9/79
HB 474, do not pass.
HB 557, do not pass.

Moore, Ellison, Kropp, Williams, Vinger, Underdal, Seifert, Manuel, H. Robbins, Fabrega objected that HB 486 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

MESSAGES FROM THE GOVERNOR

The Honorable Harold Gerke 2/9/79
Speaker
Montana House of Representatives
State Capitol

Dear Mr. Speaker:

This is to inform you that I have signed the following measures this date.

House Bill Nos. 5, 10, 52, 88, 95, 130.

Sincerely,

Thomas L. Judge
Governor

MESSAGES FROM THE OTHER HOUSE

Senate Joint Resolution passed as amended and transmitted to the House for concurrence: 2/8/79

Senate Joint Resolution No. 1, introduced by Lowe, Conroy

Senate Bills passed and transmitted to the House for concurrence: 2/8/79

Senate Bill No. 196, introduced by Conover, Jergeson, et al

Senate Bill No. 212, introduced by S. Brown, Manley, Hazelbaker

Senate Bill No. 272, introduced by Lowe

House Bill passed on Third Reading Consent Calendar and returned to the House: 2/8/79

House Bill No. 31, introduced by Pavlovich

MOTIONS

Vincent moved that HB 129 be passed until the Thirty-fifth Legislative Day. Motion carried.

Lory moved that HB 422, HB 500 be taken off Second Reading and referred to the Committee on Judiciary. Motion carried.

Dussault moved that SB 52, SB 68, SB 77 pass consideration until the Thirty-sixth Legislative Day. Motion carried.

Dussault moved that the House reconsider its action taken yesterday in adopting the motion directing the Speaker to write a letter to executive branch agencies testifying before committee to take a proponent or opponent position on bills they are testifying to before the legislative committees. Discussion followed. Motion carried.

Scully then withdrew the motion made on February 8, 1979.

Moore moved that HB 486 be taken from Printing and referred to the Committee on Business and Industry for the purpose of amendment. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committee:

HB 676, introduced by Nathe. Referred to Committee on Natural Resources.

HB 677, introduced by Ellerd, Boylan. Referred to Committee on Agriculture, Livestock and Irrigation.

HB 678, introduced by Pistoria, Thomas, Conroy, Manning, Moore, Hayne, Donaldson, Kanduch, Feda, Porter. Referred to Committee on Judiciary.

HB 679, introduced by Metcalf, Palmer. Referred to Committee on Appropriations.

HB 680, introduced by Kvaalen. Referred to Committee on State Administration.

HB 681, introduced by Oberg, Harper, Reichert. Referred to Committee on Human Services.

HB 682, introduced by Hand, Scully, Keyser, Yardley. Referred to Committee on Local Government.

HB 683, introduced by Hemstad. Referred to Committee on Local Government.

HB 684, introduced by Hand, Keyser, Johnston, Gesek, Dover, Hazelbaker, Peterson, Healy, Manley, McCallum, Hurwitz, Thoft, Hemstad, Gould, Staigmiller, Daily, C. Smith, Quilici, Pavlovich, Kropp. Referred to Committee on Natural Resources.

HB 685, introduced by Metcalf, Donaldson, Rasmussen. Referred to Committee on Local Government.

HB 686, introduced by Manning, Manuel, E. Smith, Hurwitz. Referred to Committee on State Administration.

HB 687, introduced by Brand, Hayne, Ellison, Seifert, Magone, Menahan, Kanduch, Burnett, Johnston, Manning. Referred to Committee on Local Government.

HB 688, introduced by Manning, Manuel, Hurwitz. Referred to Committee on Business and Industry.

HB 689, introduced by H. Robbins, Keyser, Moore, Johnson, Peterson, Mehrens, Gilligan, Oberg, Wyrick, Kropp, Ernst, Pistoria, K. Robbins, Day, Vinger, Hurwitz, Dozier, Staigmiller, Lien, Dassinger, Bengtson, Menahan, Gerke, Johnston, Nathe, Galt, Dover, Conover, Kanduch, E. Smith, Manning, Teague. Referred to Committee on Local Government.

HB 690, introduced by Kanduch, Hurwitz, Magone, Manley, Curtiss, B. Brown, Roskie, Boylan, Stobie. Referred to Committee on Appropriations.

HB 691, introduced by Harrington, Ramirez, Quilici, Kemmis, Daily, Cooney, Pavlovich, Yardley. Referred to Committee on Judiciary.

HB 692, introduced by Dussault, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Human Services.

HB 693, introduced by Bardanouve. Referred to Committee on Judiciary.

HB 694, introduced by Day, Thiessen, Conroy, Lien, Hager, Roth, Kolstad, Keyser, Scully, Kemmis. Referred to Committee on Natural Resources.

HB 695, introduced by Waldron, Cooney, Menahan, Daily, H. Robbins, Shelden, Metcalf, Gilligan, Kemmis, Harper, Gould, Ellis. Referred to Committee on State Administration.

HB 696, introduced by Dozier, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Local Government.

HB 697, introduced by Day, Keedy, Kemmis, Ramirez, Yardley, Scully. Referred to Committee on Judiciary.

HB 698, introduced by Porter, Donaldson, Sales, Thiessen. Referred to Committee on Local Government.

HB 699, introduced by Ramirez, Keedy. Referred to Committee on Judiciary.

HB 700, introduced by Johnson, Menahan, Dassinger, Manuel, Bengtson, Ernst, Jensen, Day. Referred to Committee on Agriculture, Livestock and Irrigation.

HB 701, introduced by Rosenthal, Bennett, Harper, Bertelsen, Keedy, Curtiss. Referred to Committee on Judiciary.

HB 702, introduced by Fabrega, Ramirez, Moore, Kemmis, Tropila, Gilligan. Referred to Committee on Taxation.

HB 703, introduced by Moore, Dover, Regan, Fabrega, Ramirez. Referred to Committee on State Administration.

HB 704, introduced by Fagg, Kemmis, Reichert. Referred to Committee on Local Government.

HB 705, introduced by Yardley, Vincent, Scully. Referred to Committee on Judiciary.
HB 706, introduced by Ellis, Scully, Ellerd, Gerke, (By Request of the Legislative Audit Committee). Referred to Committee on Business and Industry.
HB 707, introduced by South. Referred to Committee on Local Government.

The following Senate bills were introduced, read first time and referred to committees:

SJR 1, introduced by Lowe, Conroy, (By Request of the Committee on Indian Legal Jurisdiction). Referred to Committee on State Administration.
SB 196, introduced by Conover, Jergeson, Manley, Kolstad, Hager, Johnson, H. Robbins, E. Smith. Referred to Committee on Highways and Transportation.
SB 212, introduced by S. Brown, Manley, Hazelbaker. Referred to Committee on State Administration.
SB 272, introduced by Lowe. Referred to Committee on Business and Industry.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 288 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Wood, Wyrick, Yardley, Mr. Speaker Pro Tem.
Total 91

Noes: None.
Total 0

Excused: Eudaily, Gerke, Gesek.
Total 3

Absent or not voting: Burnett, Cooney, Hirsch, H. Robbins, Waldron, Williams.
Total 6

House Bill No. 310 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf,

Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker Pro Tem.
Total 94

Noes: None.
Total 0

Excused: Eudaily, Gerke, Gesek.
Total 3

Absent or not voting: Burnett, Scully, Staigmiller.
Total 3

House Bill No. 327 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker Pro Tem.
Total 92

Noes: Bardanouve.
Total 1

Excused: Eudaily, Gerke, Gesek.
Total 3

Absent or not voting: Dassinger, Huennekens, K. Robbins, Scully.
Total 4

House Bill No. 365 was passed by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Conroy, Cooney, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellis, Ernst, Fagg, Feda, Gilligan, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Moore, Oberg, O'Connell, Pavlovich, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Sales, Schultz, South, Spilker, Uhde, Underdal, Vincent, Waldron, Williams, Yardley, Mr. Speaker Pro Tem.
Total 58

Noes: Anderson, Bengtson, Burnett, Curtiss, Day, Ellerd, Ellison, Fabrega, Frates, Gould, Hayne, Hemstad, Iverson, Keedy, Keyser, Kropp, Lund, Marks, Meyer, Nathe, Nordtvedt, Pistoria, Ramirez, Rosenthal, Roth, Scully, Seifert, Shelden, Sivertsen, Smith, Staigmiller, Stobie, Teague, Thoft, Tropila, Vinger, Wood, Wyrick.
Total 38

Excused: Eudaily, Gerke, Gesek.
Total 3

Absent or not voting: Hurwitz.
Total 1

House Joint Resolution No. 18 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker Pro Tem.
Total 94

Noes: None.
Total 0

Excused: Eudaily, Gerke, Gesek.
Total 3

Absent or not voting: Porter, Scully, Smith.
Total 3

Senate Bill No. 147 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.
Total 91

Noes: Manuel.
Total 1

Excused: Eudaily, Gerke, Gesek.
Total 3

Absent or not voting: Azzara, Keedy, Manning, Scully, Yardley.
Total 5

Consent Calendar

Senate Bill No. 53 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund,

McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker Pro Tem. Total 95

Noes: None.
Total 0

Excused: Eudaily, Gerke, Gesek.
Total 3

Absent or not voting: Keedy, Scully.
Total 2

SPECIAL ORDERS OF THE DAY

Consent Calendar

Questions were asked on HB 495.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Fabrega in the Chair. Committee arose.

House resumed. Mr. Speaker Pro Tem in the Chair.

Mr. Speaker Pro Tem: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 38, second reading copy, be amended as follows: (54-35)

1. Page 1, lines 17 and 18.
Following: "~~captivity~~"
Strike: "NOT HELD IN PRIVATE OWNERSHIP PURSUANT TO THE LAWS OF THIS STATE"
Insert: "whether they are privately or publicly owned and whether or not they have been reduced to captivity"

And as amended, do pass. Motion failed. (21-71)

That HB 38, as amended, do not pass. (74-18)

Baeth moved that HB 100 be placed at the bottom of the board. Motion carried.

That HB 212 do pass. (78-5)

That HB 227 do pass. (78-5)

That HB 302, second reading copy, be amended as follows: (88-2)

1. Page 3.
Following: line 10
Insert: "SECTION 5. THERE IS A NEW MCA SECTION THAT READS:

Strikes limited. Strikes are prohibited during the term of any contract and the negotiations or arbitration of that contract."

Renumber: subsequent section

And as amended, do pass. (63-33)

That HB 330 do pass. (80-7)

That HB 331 do pass. (81-2)

That HB 335 do pass. (83-0)

That HB 361 do pass. (74-12)

Ramirez moved that HB 366 be passed to the bottom of the board. Motion carried.

That HB 367 do pass. (75-3)

That HB 368 do pass. (73-14)

That HB 378 do pass. (65-19)

That HB 388 do pass. Motion failed. (45-48)

Scully moved to revert back to the body of the bill for the purpose of amendment and that the amendment be deemed read. Motion carried. (47-46)

That HB 388, second reading copy, be amended as follows: (47-46)

1. Page 1, lines 14 and 15.
Following: "agricultural"
Strike: ", mining, smelting, refining, or transportation purpose"
Insert: "purposes"

2. Page 2, lines 5 and 6.
Following: "agricultural"
Strike: ", mining, smelting, refining, or transportation purpose"
Insert: "purposes"

And as amended, do pass. (55-39)

That HB 390 do pass. Motion failed. (29-62)

That HB 390 do not pass. (63-28)

That HB 454 do pass. (84-3)

That HB 464 do pass. (79-8)

That HB 475 do pass. (84-2)

That HB 493, second reading copy, be amended as follows: (77-2)

1. Page 2, line 8.
Following: line 7
Strike: "1"
Insert: "15"

And as amended, do pass. (86-0)

That HB 514 do pass. (82-1)

That HB 518 do pass. (80-5)

That HB 519 do pass. (77-9)

That HB 100, second reading copy, be amended as follows: (86-0)

1. Title, line 7.

Strike: "REVISING"
Insert: "REDUCING"

2. Title, line 9.
Following: "AND"
Strike: "REDUCING"
Insert: "REVISING"

And as amended, do pass. (73-10)

Kessler moved that HB 366 pass consideration for the day. Motion carried.

That the Committee rise and report. (Fabrega, Chairman). Report adopted. (81-6)

Dussault moved that the Committee of the Whole Report be deemed read. Motion carried.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/9/79
Correctly enrolled - HB 18, HB 167.
Correctly printed - HB 377.
Correctly engrossed - HB 79.

Examined by the Sponsor and found to be correct - HB 18, HB 167.

Delivered to the Governor for his approval at 4:00 p.m., 2/9/79 - HB 65, HB 96, HB 120, HB 134, HB 165, HB 170.

Delivered to the Governor for his approval at 4:42 p.m., 2/9/79 - HB 55.

Do Pass

AGRICULTURE, LIVESTOCK AND IRRIGATION (Day, Chairman): 2/9/79

HB 279, do pass. Report adopted.

HUMAN SERVICES (Holmes, Chairman): 2/9/79
HB 414, introduced bill, be amended as follows:

1. Page 3.
Following: line 13
Insert: "Section 4. Codification. Sections 1 through 3 are intended to be codified as an integral part of Title 75, chapter 5, and the provisions contained in Title 75, chapter 5, apply to sections 1 through 3."
Renumber: subsequent section

And as amended, do pass. Report adopted.

HB 451, introduced bill, be amended as follows:

1. Page 1, line 10.
Following: "appropriated"
Strike: "$5,250"
Insert: "$12,625"

2. Page 1, line 11.
Following: "and"
Strike: "$20,000 in matching funds"
Insert: "$34,875"

3. Page 1, line 15.

Following: "provide"
Strike: "day-care"
Insert: "child-care"
Following: "services"
Insert: "in the biennium ending June 30, 1981"

4. Page 1, line 16.
Following: "federal"
Strike: "matching"

And as amended, do pass. Report adopted.

HB 166, do pass. Report adopted. 2/5/79

STATEMENT OF INTENT RE: House Bill No. 166

A Statement of Intent is required for this bill because it amends section 50-1-202, MCA to confirm the Department of Health and Environmental Sciences rulemaking authority regarding communicable diseases and the transportation of dead human bodies.

HB 166 intends that the Department of Health and Environmental Sciences have the authority to require by rule, in accordance with the Montana Administrative Procedure Act, the reporting to public health officials of communicable diseases by persons having knowledge of the occurrence of a case or suspected case, so that appropriate investigations and control measures may be specified and implemented to protect the public health. In addition, the Department shall also have the authority to amend and update existing rules, and to adopt new rules, in accordance with the Montana Administrative Procedure Act, as may be needed to ensure that reporting and methods of control of communicable diseases meet the standards of current, preferred medical and public health practice.

In this same spirit, the Department shall also adopt rules to protect the public against possible communicable hazards of dead human bodies.

By way of illustration, the following categories of rules are examples of topics that need to be addressed:

(1) Definitions (For example, the terms carrier, quarantine, immunization, etc. need specific definitions.)
(2) Designation of communicable diseases to be reported. (For example, measles, legionnaires disease, influenza, typhoid, etc.)
(3) Form and procedure for reporting communicable diseases
(4) Confidentiality and access to records
(5) Types of quarantine and isolation
(6) Procedures for establishing and removing quarantine
(7) Conduct of transport, funeral, and burial of dead human bodies
(8) Specific control measures for specific diseases (for example, control measures for measles would be different from dysentery).

/s/Holmes

HIGHWAYS AND TRANSPORTATION (Baeth, Chairman): 2/9/79
HB 348, introduced bill, be amended as follows:

1. Title, line 7.
Following: "DUTIES"
Strike: "AND"
Insert: ";"

2. Title, line 9.
Following: "JUSTICE"
Insert: "; AND TO PROVIDE FOR RETIREMENT CREDIT AND TRANSFERS OF RETIREMENT CREDIT"

3. Page 4.
Following: line 8
Insert: "SECTION 8. THERE IS A NEW MCA SECTION THAT READS:

Contribution for retirement — length of service credit — transfer of retirement contributions and length of service credit. (1) When an officer receives compensation under [Section 1], the officer's contribution for retirement under 19-6-402 must be paid on the compensation received under [Section 1] and the state's contribution for retirement under 19-6-404 must be paid on the compensation received under [Section 1].

(2) The time for which contributions are paid under [Section 1] shall be credited to the length of service computed for retirement purposes under 19-6-302.

(3) When a disabled officer who qualifies for benefits under [Section 1] accepts a transfer under [Section 5] to a nonhighway patrol position within the department of justice that is covered under The Public Employee's Retirement System Act, all the officer's length of service credited with the Montana patrolmen's retirement system shall be transferred to the public employee's retirement system in the officer's credit and the officer's accumulated contributions and the state's adjusted contributions, with accrued interest, credited to the officer in the Montana highway patrolmen's retirement account shall be transferred to the public employee's retirement account in the officer's credit. The state's "adjusted contributions" means an amount equal to the amount that would have been contributed by the state had the transferred service been employment covered under the public employee's retirement system."

And as amended, do pass. Report adopted.

JUDICIARY (Scully, Chairman): 2/9/79
HB 452, introduced bill, be amended as follows:

1. Title, line 6.
Following: line 5
Strike: "EXEMPTING CERTAIN"
Insert: "PROVIDING LEGISLATIVE RATIFICATION OF ANY CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED ISSUED BY THE BOARD OF NATURAL RESOURCES AND CONSERVATION FOR"

2. Page 1.
Following: line 11
Insert: "SECTION 1. THERE IS A NEW MCA SECTION THAT READS:

Purpose. The legislature states that the purpose of [this act] is to validate, ratify, and approve any certificate of environmental compatibility and public need issued by the board of natural resources and conservation for electric generating facilities and associated facilities that have been the subject of an administrative hearing that commenced prior to January 1, 1979, so that no further administrative or judicial proceedings before agencies or courts of the state under the Montana Major Facility Siting Act are required prior to commencement of construction of such facilities and associated facilities. It is also the purpose of [this act] to require any applicant

who has received a certificate of environmental compatibility and public need issued by the board of natural resources and conservation for electric generating facilities and associated facilities that have been the subject of an administrative hearing that commenced prior to January 1, 1979, to fully comply with the terms and conditions of such certificate."
Renumber: subsequent sections

3. Page 1, line 21 through line 2, page 2.
Following: "contrary,"
Strike: remainder of line 21 through line 2, page 2 in its entirety
Insert: "Any certificate of environmental compatibility and public need for electric generating facilities and associated facilities issued by the board of natural resources and conservation following an administrative hearing which commenced prior to January 1, 1979, under this chapter is ratified and approved."

4. Page 2, lines 3 through 7.
Following: "(b)"
Strike: remainder of line 3 through line 7 in its entirety
Insert: "The construction and operation of such electric generating facilities and associated facilities shall comply with the terms and conditions of such certificate."

And as amended, do pass. Report adopted.

HB 505, do pass. Report adopted.
HB 539, introduced bill, be amended as follows:

1. Title, line 5.
Following: "AN"
Strike: "APPEAL"
Insert: "INQUIRY"

2. Page 1, line 10.
Following: "Notice of"
Strike: "appeal"
Insert: "inquiry"
Following: "process."
Strike: "Appeal of"
Insert: "Inquiry concerning"

3. Page 1, line 14.
Following: "such"
Strike: "appeal"
Insert: "inquiry"

And as amended, do pass. Report adopted.

STATE ADMINISTRATION (Brand, Chairman): 2/9/79
HB 350, do pass. Report adopted.
HB 484, do pass. Report adopted.
HB 498, introduced bill, be amended as follows:

1. Page 1, line 18.
Following: "each"
Insert: "fire department relief association of any"

And as amended, do pass. Report adopted.

HJR 3, introduced bill, be amended as follows:

1. Title, line 10.

Following: "THE"
Insert: "EXCLUSIVE AND SINGLE"

2. Page 3, line 10.
Following: "budget"
Insert: "and allowing certain exceptions with respect thereto"

3. Page 4.
Following: line 2
Insert: "(7) That no convention be called until federal statutes be enacted that specifically provide for a process by which the convention be conducted and the manner by which the convention's subject matter may be delineated, restricted, deliberated, and voted upon."

And as amended, do pass. Report adopted.

HJR 19, do pass. Report adopted.

Adverse Committee Reports

JUDICIARY (Scully, Chairman): 2/9/79
HB 455, do not pass.
HB 517, do not pass.

STATE ADMINISTRATION (Brand, Chairman): 2/9/79
HB 379, do not pass.
HJR 9, do not pass.

On motion by O'Connell, the Adverse Committee Report on HB 346 was adopted by the following vote: (64-9)

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Dassinger, Day, Dozier, Dussault, Ellis, Ellison, Ernst, Fabrega, Feda, Frates, Gilligan, Gould, Hand, Harper, Hirsch, Holmes, Huennekens, Iverson, Johnson, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Moore, Nathe, O'Connell, Pistoria, Porter, Quilici, Ramirez, Reichert, Rosenthal, Schultz, Shelden, Spilker, Staigmiller, Stobie, Teague, Tropila, Underdal, Vincent, Vinger, Williams, Wood, Yardley, Mr. Speaker Pro Tem.
Total 64

Noes: Azzara, Daily, Donaldson, Keedy, Scully, South, Uhde, Waldron, Wyrick.
Total 9

Excused: Eudaily, Gerke, Gesek.
Total 3

Absent or not voting: Burnett, Ellerd, Fagg, Harrington, Hayne, Hemstad, Hurwitz, Jensen, Kemmis, Kessler, Menahan, Metcalf, Meyer, Nordtvedt, Oberg, Pavlovich, H. Robbins, K. Robbins, Roth, Sales, Seifert, Sivertsen, Smith, Thoft.
Total 24

On motion by Williams, the Adverse Committee Report on HB 515 was adopted by the following vote: (74-7)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Fabrega, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens,

Iverson, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Moore, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker Pro Tem.
Total 74

Noes: Daily, Keedy, Nordtvedt, Quilici, Teague, Tropila, Waldron.
Total 7

Excused: Eudaily, Gerke, Gesek.
Total 3

Absent or not voting: Burnett, Ellerd, Fagg, Hurwitz, Jensen, Kropp, Menahan, Metcalf, Meyer, Nathe, Oberg, H. Robbins, Roth, Seifert, Smith, Thoft.
Total 16

MOTIONS

Dussault moved that HB 670, HB 659, HB 682 be rereferred from the Committee on Local Government to the Committee on Judiciary. Motion carried.

Dussault moved that HB 685, HB 704 be rereferred from the Committee on Local Government to the Committee on Highways and Transportation. Motion carried.

Dussault moved that HB 696 be rereferred from the Committee on Local Government to the Committee on Human Services. Motion carried.

Dussault moved that HB 707 be rereferred from the Committee on Local Government to the Committee on Business and Industry. Motion carried.

Dussault moved that HB 683 be rereferred from the Committee on Local Government to the Committee on State Administration.

Huennekens moved that HB 457 be taken from Printing and referred to the Committee on Taxation for the purpose of adding a Statement of Intent. Motion carried.

Dussault moved that the House adjourn until 2:30 p.m., February 10, 1979.

Motion carried.

House adjourned at 7:15 p.m.

JOE BRAND, Speaker Pro Tem

MARTHA B. McGEE, Chief Clerk

THIRTY-FOURTH LEGISLATIVE DAY

Helena, Montana
February 10, 1979

House Chambers
Capitol Building

House convened at 2:37 p.m., Mr. Speaker Pro Tem in the chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Burnett, Dassinger, Day, Gerke, Gesek, Menahan, Porter, Ramirez, H. Robbins, Seifert, Thoft, Waldron, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Thirtieth Legislative Day, find the same to be correct.

METCALF, Chairman

COMMUNICATIONS AND PETITIONS

Mrs. Martha McGee
Chief Clerk
House of Representatives
Helena, Montana

2/9/79

Dear Mrs. McGee:

All of our pages do an excellent job for us here and we are pleased to have them; however, it has been my honor and pleasure to sponsor two special young people who were two of your pages during this past week. They are Stephany Ross and Scott Keller from Billings West High.

These young people were elected by the student body as well as the faculty and administration to have the honor to serve as pages here during the past week. This is a program that I have sponsored for several sessions in connection with the Student Council at Billings West High.

Stephany and Scott have been keeping records on their activities here throughout the week and will make a full report to the student body at Billings West High upon their return.

These young folks exemplify a large portion of our students today.

Thank you very much.

Sincerely,

Harold E. Gerke
Speaker

February 10, 1979

SPEAKER OF THE HOUSE

HAROLD E. GERKE

HONORABLE MENTION

PAGES

SCOTT KELLER
STEPHANY ROSS
CORRINE KASCHUBE
CAM WHITE
JULIE RATHERT
JOHN FABREGA

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/10/79

Correctly printed - HB 94, HB 279, HB 350, HB 441, HB 466, HB 484, HB 505, HB 511, HJR 19.

Considered correctly engrossed - HB 212, HB 227, HB 330, HB 331, HB 335, HB 361, HB 367, HB 368, HB 378, HB 454, HB 464, HB 475, HB 514, HB 518, HB 519.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Metcalf, Chairman): 2/10/79

Recommend that the following be employed by the House of Representatives for the 46th Session at the beginning of business February 12, 1979:

Laurie Rustad ..... Page
Ron Solf ..... Page
Edward Manning ..... Page
Russ Fagg ..... Page
Jennifer Robson ..... Page
Lauretta Brook ..... Page

At the beginning of business February 14, 1979, the following also be employed:

Melody Lees ..... Page
Tammie Todd ..... Page

At the close of business, February 10, 1979, the following also be terminated:

W. John Fabrega ..... Page
Julia Rathert ..... Page
Corrine A. Kaschube ..... Page
Scott A. Keller ..... Page
Stephany Ross ..... Page
Cam White ..... Page

At the close of business, February 13, 1979, the following also be terminated:

Regina (Gina) Patton ..... Page
David E. Ransier ..... Page

TAXATION (Huennekens, Chairman): 2/10/79

HB 106, second reading copy, be amended as follows:

1. Page 3, line 15.
Following: "[section 3]"
Insert: ", less actual administration costs not to exceed 5% to be retained by the department of revenue,"

2. Page 3, line 25.
Following: line 25
Insert: "(4) Money accruing to this account from the voluntary checkoff set forth in [section 3] may not be used for protection, preservation, and propagation of prairie dogs, Richardson's ground squirrels, and Columbian ground squirrels."

And as amended, pass without recommendation - tie vote.

MESSAGES FROM THE OTHER HOUSE

Senate Bills passed and transmitted to the House for concurrence: 2/9/79

Senate Bill No. 172, introduced by Story, R. Smith

Senate Bill No. 186, introduced by Norman

Senate Bills passed as amended and transmitted to the House for concurrence: 2/9/79

Senate Bill No. 108, introduced by Lowe, Kolstad, Boylan, Mehrens

Senate Bill No. 134, introduced by Severson, Manley, et al

Senate Bill No. 155, introduced by Boylan, Kolstad

Senate Bill No. 202, introduced by Van Valkenburg, Turnage, et al

Senate Bill No. 215, introduced by Ryan, S. Brown, et al

House Bills concurred in and returned to the House: 2/9/79

House Bill No. 22, introduced by Feda

House Bill No. 27, introduced by Baeth

House Bill No. 28, introduced by Kanduch

House Bill No. 29, introduced by Kessler

House Bill No. 59, introduced by Kropp

House Bill No. 74, introduced by Gould

House Bill No. 218, introduced by Hirsch, Johnson, Lien

MOTIONS

Dussault moved that the rules be temporarily suspended to allow debate on Order of Business #2 this day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 708, introduced by Pistoria, Gilligan, H. Robbins, Tropila, Vincent, Bengtson, Holmes, Dozier. Referred to Committee on Highways and Transportation.

HB 709, introduced by Underdal. Referred to Committee on State Administration.

HB 710, introduced by Ellison. Referred to Committee on Local Government.

HB 711, introduced by Kropp, Bennett, Manning, Wyrick, Johnston. Referred to Committee on Human Services.

HB 712, introduced by Cooney, (By Request of the Department of Justice). Referred to Committee on Judiciary.

HB 713, introduced by Kessler, Baeth, Teague, O'Connell. Referred to Committee on Judiciary.

HB 714, introduced by Keyser, Fabrega, O'Connell, (By Request of the Department of Professional and Occupational Licensing). Referred to Committee on Human Services.

HB 715, introduced by Marks, Donaldson, Hand, Bennett, Hafferman, Kanduch, Daily, Nathe, Conroy. Referred to Committee on Natural Resources.

HB 716, introduced by Blaylock, Kemmis, Bardanouve, Gerke, Dussault, Lory, McBride, Jergeson, Shelden, Kessler, Reichert, Cooney, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Natural Resources.

HB 717, introduced by Bardanouve. Referred to House Select Committee on Water.

HB 718, introduced by Donaldson. Referred to Committee on Education and Cultural Resources.

HB 719, introduced by Burnett. Referred to Committee on Judiciary.

HB 720, introduced by Tropila, Gesek, (By Request of the Department of Business Regulation). Referred to Committee on Business and Industry.

HB 721, introduced by Tropila, Pavlovich. Referred to Committee on Education and Cultural Resources.

HB 722, introduced by Dozier, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Human Services.

HB 723, introduced by Tropila, Pavlovich. Referred to Committee on Business and Industry.

HB 724, introduced by Gould. Referred to Committee on Taxation.

HB 725, introduced by Gould. Referred to Committee on Human Services.

HB 726, introduced by Burnett. Referred to Committee on Judiciary.

HB 727, introduced by Cooney. Referred to Committee on Taxation.

HB 728, introduced by Tropila. Referred to Committee on Business and Industry.

HB 729, introduced by Tropila. Referred to Committee on Business and Industry.

HB 730, introduced by Manuel, Gerke, Marks, Dozier, Huennekens, Ellis, Lory, Hemstad, O'Connell, Oberg, Meyer, Williams, Keedy, Teague, Harper, Shelden. Referred to Committee on Business and Industry.

HB 731, introduced by Harrington, Quilici, Daily, Pavlovich, Cooney, McBride. Referred to Committee on State Administration.

HB 732, introduced by Harper. Referred to Committee on Local Government.

HB 733, introduced by Day, Bengtson, (By Request of the Department of Natural Resources and Conservation). Referred to House Select Committee on Water.

HB 734, introduced by Menahan. Referred to Committee on Business and Industry.

HB 735, introduced by Staigmiller, Conroy, Lien, C. Smith, Ellerd. Referred to Committee on Agriculture, Livestock and Irrigation.

HB 736, introduced by Staigmiller, Conroy, Lien, C. Smith, Ellerd. Referred to Committee on Agriculture, Livestock and Irrigation.

HB 737, introduced by Keedy. Referred to Committee on Judiciary.

HB 738, introduced by Brand. Referred to Committee on State Administration.

HB 739, introduced by Day, (By Request of the Department of State Lands). Referred to Committee on Natural Resources.

HB 740, introduced by Sales. Referred to Committee on Business and Industry.

HB 741, introduced by Brand, Hazelbaker, Conover, Healy, Williams, Gould, Moore, Marks, Donaldson, Kanduch, Pistoria, Kropp, Sales, Wyrick, Dover, Vincent, Graham, Thoft, Meyer, Anderson, Keyser, Iverson, Lund, R. Smith, Quilici, Schultz, Ellis, Daily, Roth, Nathe, Feda, Hurwitz, Cooney, Galt, Ryan, Ellerd, Stephens, E. Smith, Sivertsen, Tropila, Harrington, Spilker, Manuel, Johnston, H. Robbins, Boylan, Ramirez, Jensen, Bennett, Ernst, Wood, Porter, Bardanouve. Referred to Committee on State Administration.

HB 742, introduced by Shelden, Bertelsen, Nathe, Vincent. Referred to Committee on Natural Resources.

HB 743, introduced by Curtiss, Roth, McCallum, Burnett, Bengtson, B. Brown, Nathe, Hand, Hafferman, Porter. Referred to Committee on Appropriations.
HB 744, introduced by Nordtvedt, Iverson, Marks. Referred to Committee on Taxation.
HJR 34, introduced by Oberg, Brand, Dassinger, Feda, Dozier, Daily, Quilici, Gould, McBride, Teague, Harrington, Cooney, Kanduch, Pavlovich, Menahan, Frates, Hirsch, Dussault, South, Yardley, Waldron, Vincent, Gerke, Uhde, Kemmis. Referred to Committee on Highways and Transportation.
HJR 35, introduced by Manning, Cooney, Kessler, Oberg, Rosenthal, Harper. Referred to Committee on State Administration.

The following Senate bills were introduced, read first time and referred to committees:

SB 108, introduced by Lowe, Kolstad, Boylan, Mehrens. Referred to Committee on Business and Industry.
SB 134, introduced by Severson, Manley, E. Smith, Ryan, Lowe, Anderson, S. Brown, Nelson, Boylan. Referred to Committee on Fish and Game.
SB 155, introduced by Boylan, Kolstad. Referred to Committee on Labor and Employment Relations.
SB 172, introduced by Story, R. Smith. Referred to Committee on Taxation.
SB 186, introduced by Norman, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Human Services.
SB 202, introduced by Van Valkenburg, Turnage, Severson, Watt, Palmer, McCallum, Manley. Referred to Committee on Judiciary.
SB 215, introduced by Ryan, S. Brown, Kolstad, Towe, Van Valkenburg. Referred to Committee on Judiciary.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 79 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Donaldson, Dozier, Dussault, Ellis, Ellison, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, K. Robbins, Rosenthal, Schultz, Shelden, Sivertsen, South, Spilker, Teague, Tropila, Uhde, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker Pro Tem.
Total 75

Noes: Ellerd, Ernst, Hemstad, Jensen, Kropp, Sales, Smith, Staigmiller, Stobie, Underdal.
Total 10

Excused: Burnett, Dassinger, Day, Gerke, Gesek, Menahan, Porter, Ramirez, H. Robbins, Seifert, Thoft, Waldron.
Total 12

Absent or not voting: Kvaalen, Roth, Scully.

Total 3

House Bill No. 162 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Lory, Lund, McBride, Magone, Manning, Manuel, Metcalf, Meyer, Moore, Oberg, O'Connell, Pavlovich, Quilici, Reichert, K. Robbins, Rosenthal, Schultz, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Williams, Wood, Yardley, Mr. Speaker Pro Tem.
Total 72

Noes: Donaldson, Ellerd, Jensen, Kropp, Lien, Marks, Nathe, Nordtvedt, Pistoria, Sales, Vinger, Wyrick.
Total 12

Excused: Burnett, Dassinger, Day, Gerke, Gesek, Menahan, Porter, Ramirez, H. Robbins, Seifert, Thoft, Waldron.
Total 12

Absent or not voting: Kvaalen, Roth, Scully, Spilker.
Total 4

House Bill No. 187 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, South, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker Pro Tem.
Total 76

Noes: Donaldson, Ellison, Hayne, Keedy, Keyser, Smith, Spilker, Stobie, Vinger.
Total 9

Excused: Burnett, Dassinger, Day, Gerke, Gesek, Menahan, Porter, Ramirez, H. Robbins, Seifert, Thoft, Waldron.
Total 12

Absent or not voting: Ellerd, Kvaalen, Scully.
Total 3

House Bill No. 247 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker,

Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker Pro Tem.
Total 83

Noes: Ellison, Smith, Stobie.
Total 3

Excused: Burnett, Dassinger, Day, Gerke, Gesek, Menahan, Porter, Ramirez, H. Robbins, Seifert, Thoft, Waldron.
Total 12

Absent or not voting: Eudaily, Kvaalen.
Total 2

House Bill No. 301 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Cooney, Curtiss, Daily, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Sivertsen, South, Spilker, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker Pro Tem.
Total 78

Noes: Conroy, Ellerd, Feda, Kvaalen, Nordtvedt, Sales, Smith, Stobie.
Total 8

Paired: H. Robbins, Aye; Ellerd, No.

Excused: Burnett, Dassinger, Day, Gerke, Gesek, Menahan, Porter, Ramirez, Seifert, Thoft, Waldron.
Total 11

Absent or not voting: Hurwitz, Scully, Shelden.
Total 3

House Bill No. 354 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Cooney, Curtiss, Daily, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Metcalf, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Shelden, Sivertsen, South, Teague, Tropila, Vincent, Vinger, Williams, Wood, Yardley.
Total 70

Noes: Conroy, Donaldson, Fabrega, Feda, Hayne, Kropp, Meyer, Moore, Roth, Sales, Smith, Spilker, Staigmiller, Stobie, Uhde, Underdal, Wyrick, Mr. Speaker Pro Tem.
Total 18

Paired: Ellerd, Aye; Mr. Speaker Pro Tem, No.

Excused: Burnett, Dassinger, Day, Gerke, Gesek, Menahan, Porter, Ramirez, Seifert, Thoft, Waldron.

Total 11

Absent or not voting: Scully.
Total 1

House Bill No. 374 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Huennekens, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.
Total 79

Noes: Hirsch, Johnson, McBride, Moore, Yardley.
Total 5

Excused: Burnett, Dassinger, Day, Gerke, Gesek, Menahan, Porter, Ramirez, H. Robbins, Seifert, Thoft, Waldron.
Total 12

Absent or not voting: Hurwitz, Marks, Scully, Vinger.
Total 4

House Bill No. 415 was passed by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Cooney, Curtiss, Daily, Donaldson, Dozier, Dussault, Ellis, Ernst, Fagg, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Iverson, Johnson, Johnston, Kanduch, Kemmis, Kessler, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Metcalf, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Shelden, Sivertsen, South, Spilker, Teague, Tropila, Uhde, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker Pro Tem.
Total 63

Noes: Anderson, Bennett, Conroy, Ellerd, Ellison, Eudaily, Fabrega, Feda, Hayne, Hemstad, Hurwitz, Jensen, Keedy, Keyser, Kropp, Kvaalen, Meyer, Moore, Nathe, Nordtvedt, Roth, Smith, Staigmiller, Stobie, Vinger.
Total 25

Paired: H. Robbins, Aye; Ellerd, No.

Excused: Burnett, Dassinger, Day, Gerke, Gesek, Menahan, Porter, Ramirez, Seifert, Thoft, Waldron.
Total 11

Absent or not voting: Scully.
Total 1

House Bill No. 424 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Conroy, Cooney, Daily, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler,

Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker Pro Tem.
Total 84

Noes: Curtiss, Smith.
Total 2

Excused: Burnett, Dassinger, Day, Gerke, Gesek, Menahan, Porter, Ramirez, H. Robbins, Seifert, Thoft, Waldron.
Total 12

Absent or not voting: Bengtson, Scully.
Total 2

House Joint Resolution No. 10 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Conroy, Cooney, Daily, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gould, Hand, Harper, Harrington, Hemstad, Holmes, Huennekens, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, McBride, Magone, Manning, Manuel, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, K. Robbins, Rosenthal, Schultz, Shelden, South, Spilker, Staigmiller, Teague, Tropila, Uhde, Vincent, Vinger, Williams, Wyrick, Yardley, Mr. Speaker Pro Tem.
Total 65

Noes: Bennett, Bertelsen, Curtiss, Donaldson, Ellerd, Ellison, Gilligan, Hayne, Hirsch, Hurwitz, Jensen, Lory, Lund, Marks, Roth, Sales, Sivertsen, Smith, Stobie, Underdal, Wood.
Total 21

Excused: Burnett, Dassinger, Day, Gerke, Gesek, Menahan, Porter, Ramirez, H. Robbins, Seifert, Thoft, Waldron.
Total 12

Absent or not voting: Lien, Scully.
Total 2

Consent Calendar

House Bill No. 495 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Cooney, Curtiss, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Harper, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Lien, Lory, McBride, Magone, Manning, Manuel, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Williams, Yardley, Mr. Speaker Pro Tem.
Total 71

Noes: Conroy, Hand, Hayne, Hurwitz, Keyser, Kvaalen, Lund, Marks, Nathe, Sivertsen, Smith, Vinger, Wood, Wyrick.
Total 14

Excused: Burnett, Dassinger, Day, Gerke, Gesek, Menahan, Porter, Ramirez, H. Robbins, Seifert, Thoft, Waldron.
Total 12

Absent or not voting: Daily, Harrington, Scully.
Total 3

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/10/79
Correctly printed - HB 190.

Do Pass

BUSINESS AND INDUSTRY (Quilici, Chairman): 2/10/79
HB 526, introduced bill, be amended as follows:

1. Title, line 6.
Following: "THE"
Insert: "WHOLESALE, DISTRIBUTOR, AND"

2. Page 17, lines 12 and 13.
Following: "farmer" on line 12
Strike: "and wholesale"

3. Page 17, lines 13 and 14.
Following: "I" on line 13
Strike: "milk and minimum dairy farmer prices only for"
Insert: ","

4. Page 17, line 14.
Following: "II"
Insert: ","

5. Page 18, lines 2 and 3.
Following: "farmers" on line 2
Strike: "and to distributors at the wholesale level"

6. Page 20, lines 20 and 21.
Following: "minimum" on line 20
Strike: ": (a)"

7. Page 20, line 22.
Following: "computed"
Strike: ";"
Insert: "."

8. Page 20, lines 23 and 24.
Following: line 22
Strike: "(b) wholesale prices for milk in class I shall be computed,"

9. Page 22, line 8 through line 12.
Following: line 7
Strike: subsection (12) in its entirety
Renumber: subsequent subsections

10. Page 23, lines 4 and 5.
Following: "farmer" on line 4
Strike: ", dairy farmer-distributor, or distributor"

11. Page 23, line 19.
Following: "affected"
Strike: "producers, producer-distributors, and distributors"
Insert: "dairy farmers"

12. Page 24, line 3.
Following: "the"
Insert: "wholesale, distributor, and"

13. Page 24, line 5.
Following: "the"
Insert: "wholesale, distributor, and"

And as amended, do pass. Report adopted.

HJR 21, introduced bill, be amended as follows:

1. Page 1.
Following: line 21
Insert: "WHEREAS, a long-standing controversy has existed as to the reasons for the continued exportation of Montana's economic and human resources, without the availability of creditable, unbiased, factual information; and"

"WHEREAS, gathering and assembling all available facts relative to Montana's past, present, and future economic and social position concerning such controversy and the unbiased deliberative study of such facts may well afford the public and private sectors of Montana a basis for better management of our existing capabilities and for new and innovative means of future improvement of such capabilities; and"

2. Page 2, line 18.
Following: "environment"
Strike: "."
Insert: ";
(4) provide a creditable, unbiased fact base for the encouragement of new and innovative means, as well as improvement of existing capabilities, in the private and public sectors to improve Montana's economic and social future."

And as amended, do pass. Report adopted.

NATURAL RESOURCES (Shelden, Chairman): 2/10/79
HB 431, introduced bill, be amended as follows:

1. Title, lines 4 and 5.
Following: " AN ACT"
Strike: "TO AMEND SECTION 85-2-502, MCA."

2. Title, line 6.
Strike: "ONLY THOSE"
Insert: "CERTAIN"

3. Title, line 7.
Strike: "IN CONTROLLED GROUNDWATER AREAS"
Insert: "; TO MODIFY THE EXCEPTIONS TO PERMIT REQUIREMENTS; AMENDING SECTIONS 85-2-306 AND 85-2-502, MCA"

4. Page 1, line 19.
Strike: "only those"
Insert: "wells from which over 100 gallons of water a minute are used and"

5. Page 1, line 20.
Following: "areas"
Insert: "or areas proposed to be controlled under 85-2-506"

6. Page 1.
Following: line 20
Insert: "SECTION 2. SECTION 85-2-306, MCA, IS AMENDED TO READ:

'85-2-306. Exceptions to permit requirements. (1) Outside the boundaries of a controlled groundwater area, a permit is not required before appropriating groundwater by means of a well from which ~~with a maximum yield of~~ less than 100 gallons a minute are used. Within 60 days of completion of the well and appropriation of the groundwater for beneficial use, the appropriator shall file notice of completion on a form provided by the department at its offices and at the offices of the county clerk and recorders. Upon receipt of the notice, the department shall automatically issue a certificate of water right. The original of the certificate shall be sent to the county clerk and recorder in the county where the point of diversion or place of use is located for recordation. The department shall keep a copy of the certificate in its office in Helena. After recordation, the clerk and recorder shall send the certificate to the appropriator. The date of filing of the notice of completion is the date of priority of the right.

(2) A permit is not required before constructing an impoundment or pit and appropriating water for use by livestock if the maximum capacity of the impoundment or pit is less than 15 acre-feet and the appropriation is from a source other than a perennial flowing stream. As used in this subsection, a perennial flowing stream means a stream which historically has flowed continuously at all seasons of the year, during dry as well as wet years. However, before constructing the impoundment or pit, the appropriator shall apply for a permit as prescribed by this part. If the department determines after processing the application that the rights of other appropriators have been or will be adversely affected, it may require the applicant to modify the construction of the impoundment or pit and issue the permit subject to such terms, conditions, restrictions, or limitations it considers necessary to protect the rights of other appropriators.

(3) A person may also appropriate water without applying for or prior to receiving a permit under rules adopted by the board under 85-2-113.'"

And as amended, do pass. Report adopted.

Adverse Committee Reports

BUSINESS AND INDUSTRY (Quilici, Chairman): 2/10/79
HB 435, do not pass.
HB 622, do not pass.

Consent Calendar

Bill unanimously passed in committee and unanimously placed on Consent Calendar:

BUSINESS AND INDUSTRY (Quilici, Chairman): 2/10/79
HB 503, do pass. Report adopted.

REPORTS OF STANDING COMMITTEES

RULES (Dussault, Chairman): 2/10/79

Dussault moved that the report of the Rules Committee be deemed read. Report adopted. (77-2)

Mr. Speaker: We, your Committee on Rules having had under consideration the Joint Rules respectfully report that the Joint Rules be amended as follows:

On page 28, paragraph one:

Strike: "All bill drafting requests must be submitted to the Legislative Council by 5 p.m. on the fourteenth legislative day."

Insert: "All drafting requests must be submitted to the Legislative Council by 5 p.m. four legislative days before introduction deadline for that category of bill or resolution as per the following schedule:

	Drafting Deadline	Introduction Deadline
General bills and resolutions	14th Day	18th Day
Revenue bills	17th Day	21st Day
Committee bills and resolutions	36th Day	40th Day
Appropriations bills and study resolutions	None	None"

That the Joint Rules, Joint Rule 6-7, be amended as follows:

On page 28, paragraph one, line 7:

Following: "shall have"
Insert: "until 5 p.m."

Adverse Committee Reports

On motion by Quilici, the Adverse Committee Report on HB 474 was adopted by the following vote: (55-20)

Ayes: Anderson, Azzara, Baeth, Bennett, Conroy, Curtiss, Daily, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Gilligan, Hand, Hayne, Holmes, Hurwitz, Iverson, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Lory, Lund, Magone, Manning, Marks, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Tropila, Underdal, Vinger, Wood, Wyrick, Yardley.
Total 55

Noes: Bardanouve, Bengtson, Cooney, Dussault, Hemstad, Huennekens, Jensen, Johnson, Keedy, Kemmis, Kessler, McBride, Manuel, Oberg, Quilici, Reichert, Uhde, Vincent, Williams, Mr. Speaker Pro Tem.
Total 20

Excused: Burnett, Dassinger, Day, Gerke, Gesek, Menahan, Porter, Ramirez, H. Robbins, Seifert, Thoft, Waldron.
Total 12

Absent or not voting: Bertelsen, Dozier, Fagg, Frates, Gould, Harper, Harrington, Hirsch, Lien, Pistoria, K. Robbins, Scully, South.
Total 13

On motion by Quilici, the Adverse Committee Report on HB 557 was adopted by the following vote: (66-15)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Cooney, Curtiss, Daily, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gould, Harper, Hayne, Holmes, Iverson, Jensen, Johnson, Johnston, Kanduch, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Quilici, K. Robbins, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Tropila, Underdal, Vincent, Williams, Wood, Wyrick, Yardley.
Total 66

Noes: Bengtson, Conroy, Ellerd, Gilligan, Hand, Hemstad, Huennekens, Keedy, Kemmis, Nordtvedt, Reichert, Rosenthal, Uhde, Vinger, Mr. Speaker Pro Tem.
Total 15

Excused: Burnett, Dassinger, Day, Gerke, Gesek, Menahan, Porter, Ramirez, H. Robbins, Seifert, Thoft, Waldron.
Total 12

Absent or not voting: Fagg, Harrington, Hirsch, Hurwitz, Pistoria, Scully, South.
Total 7

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Moore in the Chair. Committee arose.

House resumed. Mr. Speaker Pro Tem in the chair.

Mr. Speaker Pro Tem: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 366 pass consideration for the day.

That HB 228 do pass. (60-17)

That HB 274, second reading copy, be amended as follows: (56-20)

1. Page 2, line 4.
Following: "sign"
Insert: "an agreement to require"
Following: "annexation"
Insert: ", upon utilizing the services,"

And as amended, pass consideration for the day.

That HB 315 do pass. Motion failed. (34-41)

That HB 315 do not pass. (46-26)

That HB 337 pass consideration for the day.

That HB 343 do pass. (68-09)

That HB 377 do pass. (68-06)

That HB 445 do pass. (67-14)

That HB 469 pass consideration for the day.

That the Committee rise and report.

Dussault moved that the Committee of the Whole Report be deemed read and motion carried.

Moore moved adoption of the Committee of the Whole Report. Lund made a substitute motion to segregate HB 343 from the committee report and as amended report be adopted. Motion carried. (78-4)

MOTIONS

Dussault moved that HB 638 be rereferred from the Committee on Judiciary to the Committee on Human Services. Motion carried.

Dussault moved that HB 122 be rereferred from the Committee on Education and Cultural Resources to the Committee on Appropriations. Motion carried.

Dussault moved that HB 526 be taken from Printing and referred to the Committee on Rules. Motion carried.

Dussault moved that the House adjourn until 2:30 p.m., February 12, 1979.

Motion carried.

House adjourned at 5:44 p.m.

JOE BRAND, Speaker Pro Tem

MARTHA B. McGEE, Chief Clerk

THIRTY-FIFTH LEGISLATIVE DAY

Helena, Montana
February 12, 1979

House Chambers
Capitol Building

House convened at 2:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Ellis, Fagg, Gesek, Lund, Yardley, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Thirty-first Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/12/79
Considered correctly engrossed - HB 228, HB 377, HB 445.
Correctly printed - HB 63, HB 106, HB 166, HB 348, HB 451, HB 452, HB 498, HB 539.
Correctly engrossed - HB 100, HB 302, HB 388, HB 493.

Delivered to the Governor for his approval at 1:52 p.m., 2/10/79 - HB 4.

Will be signed by the Speaker on adjournment, 2/12/79 - HB 18, HB 167.

Do Pass

BUSINESS AND INDUSTRY (Quilici, Chairman): 2/12/79
HB 566, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Williams, Chairman): 2/10/79
HB 548, do pass. Report adopted.
SB 29, be concurred in. Report adopted.
SB 140, be concurred in. Report adopted.
SB 141, third reading copy, be amended as follows:

1. Page 9, line 24.
Following: "IS"
Strike: "EMPLOYED AT THE TIME OF APPLICATION FOR CERTIFICATION"
Insert: "requesting reemployment"

And as amended, be concurred in. Report adopted.

Adverse Committee Reports

BUSINESS AND INDUSTRY (Quilici, Chairman): 2/12/79
HB 545, do not pass.

LABOR AND EMPLOYMENT RELATIONS (Williams, Chairman): 2/10/79
HB 362, do not pass.

LOCAL GOVERNMENT (H. Robbins, Chairman): 2/12/79
HB 305, do not pass.

On motion by O'Connell, the Adverse Committee Report on HJR 9 was adopted by the following vote: (54-21)

Ayes: Baeth, Bengtson, Bennett, Bertelsen, Conroy, Curtiss, Daily, Day, Donaldson, Ellerd, Ellison, Ernst, Fabrega, Feda, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Kanduch, Keyser, Kvaalen, Lien, Magone, Manning, Moore, Nordtvedt, O'Connell, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Tropila, Underdal, Vinger, Williams, Wood, Mr. Speaker.
Total 54

Noes: Anderson, Azzara, Cooney, Dozier, Dussault, Frates, Harper, Johnson, Keedy, Kemmis, Kropp, McBride, Manuel, Menahan, Metcalf, Nathe, Staigmiller, Uhde, Vincent, Waldron, Wyrick.
Total 21

Excused: Ellis, Fagg, Gesek, Lund, Yardley.
Total 5

Absent or not voting: Bardanouve, Brand, Burnett, Dassinger, Eudaily, Huennekens, Johnston, Kessler, Lory, Marks, Meyer, Oberg, Pavlovich, Porter, Scully, Shelden, Spilker, Stobie, Teague, Thoft.
Total 20

On motion by O'Connell, the Adverse Committee Report on HB 379 was adopted by the following vote: (69-18)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Kemmis, Keyser, Kvaalen, Lien, Manning, Manuel, Menahan, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Scully, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vinger, Williams.
Total 69

Noes: Dussault, Holmes, Johnson, Keedy, Kropp, Lory, McBride, Magone, Metcalf, Oberg, Quilici, Schultz, South, Vincent, Waldron, Wood, Wyrick, Mr. Speaker.
Total 18

Excused: Ellis, Fagg, Gesek, Lund, Yardley.
Total 5

Absent or not voting: Brand, Burnett, Dassinger, Huennekens, Kessler, Marks, Porter, Shelden.
Total 8

On motion by Teague, the Adverse Committee Report on HB 455 was adopted by the following vote: (50-37)

Ayes: Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Conroy, Curtiss, Day, Donaldson, Dozier, Dussault, Eudaily, Feda, Frates, Hirsch, Holmes, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Lory, Magone, Metcalf, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Spilker, Staigmiller, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.
Total 50

Noes: Anderson, Bengtson, Daily, Ellerd, Ellison, Ernst, Fabrega, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Huennekens, Jensen,

Kessler, Kvaalen, Lien, McBride, Manning, Manuel, Menahan, Meyer, Moore, Nathe, Quilici, Ramirez, Smith, South, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Wood.
Total 37

Excused: Ellis, Fagg, Gesek, Lund, Yardley.
Total 5

Absent or not voting: Brand, Burnett, Cooney, Dassinger, Marks, Porter, Shelden, Thoft.
Total 8

On motion by Teague, the Adverse Committee Report on HB 517 was adopted by the following vote: (62-28)

Ayes: Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Day, Dozier, Dussault, Ellerd, Ellison, Eudaily, Feda, Frates, Gilligan, Gould, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnston, Kanduch, Kemmis, Kvaalen, Lien, Lory, McBride, Magone, Manning, Menahan, Metcalf, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Scully, Seifert, Smith, South, Staigmiller, Stobie, Thoft, Vincent, Vinger, Waldron, Williams, Mr. Speaker.
Total 62

Noes: Anderson, Bengtson, Donaldson, Ernst, Fabrega, Hand, Hemstad, Jensen, Johnson, Keedy, Keyser, Kropp, Manuel, Marks, Meyer, Moore, Nathe, Nordtvedt, Ramirez, Schultz, Sivertsen, Spilker, Teague, Tropila, Uhde, Underdal, Wood, Wyrick.
Total 28

Excused: Ellis, Fagg, Gesek, Lund, Yardley.
Total 5

Absent or not voting: Brand, Burnett, Dassinger, Kessler, Shelden.
Total 5

Tropila, Pavlovich, Staigmiller, Menahan, Hand, Pistoria, Gilligan, Johnston, Fabrega, Moore objected that HB 435 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

MESSAGES FROM THE OTHER HOUSE

Representative Harold Gerke 2/12/79
Speaker of the House

The Senate on 2/10/79, acceded to the request of the House of Representatives and appointed a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 75.

The President appointed the following members:

Senator Turnage, Chairman
Senator Anderson
Senator Towe

House Bills passed on Third Reading Consent Calendar and returned to the House: 2/10/79

House Bill No. 42, introduced by Manuel

House Bill No. 62, introduced by Scully

House Bill concurred in and returned to the House: 2/10/79

House Bill No. 168, introduced by Kvaalen

Senate Bill and Senate Joint Resolution passed and transmitted to the House for concurrence: 2/10/79

Senate Bill No. 263, introduced by Rasmussen, S. Brown

Senate Joint Resolution No. 10, introduced by E. Smith, Kolstad, et al

Senate Bills passed as amended and transmitted to the House for concurrence: 2/10/79

Senate Bill No. 148, introduced by Hazelbaker, S. Brown, Norman, Peterson

Senate Bill No. 167, introduced by E. Smith, Keyser, et al

Senate Bill No. 264, introduced by Boylan, Hager

Senate Bill passed on Third Reading Consent Calendar and transmitted to the House for concurrence: 2/10/79

Senate Bill No. 297, introduced by Hager

MOTIONS

Tropila moved that HB 343 pass consideration for the day. Motion carried. (73-0)

Quilici moved that HB 441 be taken from Second Reading and referred to Printing for correction of amendments. Motion carried.

Harper moved that the rules be suspended to allow him to make his presentation on HB 190 from the front of the room this day, and to allow him to use visual aids in the presentation. Motion carried.

Dussault moved that HB 129 and HB 505 pass consideration for the day. Motion carried.

Dussault moved that HB 469 be taken from Second Reading and referred to the Committee on State Administration. Motion carried.

Dussault moved that HB 732 and HB 341 be rereferred from the Committee on Local Government to the Committee on Judiciary. Motion carried.

Vincent moved that the Journal reflect that Ellis, Gesek, Lund, Yardley were on official legislative business this day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 745, introduced by Curtiss, Roth, Brand, Ellison, Staigmiller, B. Brown, Pistoria, Hand, Hafferman, Bertelsen, Wyrick, Keyser, Schultz, Porter, Jergeson. Referred to Committee on Appropriations.

HB 746, introduced by Curtiss, Roth, Nathe, E. Smith, Conroy, Moore, Staigmiller, B. Brown, Hafferman, Porter, Marks, Roskie, Wyrick, Ernst, Schultz. Referred to Committee on Natural Resources.

HB 747, introduced by Hand, Conroy, Lien, Johnston, O'Connell, Underdal, Rosenthal, Keyser, Nathe, Lund, Feda, Menahan, Vinger, Hayne, Kanduch, Daily, Harrington, Staigmiller, Pavlovich, Quilici, Curtiss. Referred to Committee on Judiciary.

HB 748, introduced by Marks. Referred to Committee on Judiciary.
HB 749, introduced by Frates, Cooney, McBride, Uhde, Gould, Tropila, Ramirez, Dussault, Roth, Spilker, Iverson, Harper, Metcalf, Reichert. Referred to Committee on Judiciary.
HB 750, introduced by Kessler. Referred to Committee on Labor and Employment Relations.
HB 751, introduced by Hurwitz. Referred to Committee on Local Government.
HB 752, introduced by Scully, Boylan. Referred to Committee on Appropriations.
HB 753, introduced by Bardanouve. Referred to Committee on Taxation.
HB 754, introduced by Metcalf, Thomas, Kolstad, Hayne. Referred to Committee on Appropriations.
HB 755, introduced by Dussault. Referred to Committee on Human Services.
HB 756, introduced by Staigmiller, Conroy, Lien, Ellerd, C. Smith. Referred to Committee on Business and Industry.
HB 757, introduced by Brand, Manning. Referred to Committee on Labor and Employment Relations.
HB 758, introduced by Frates, S. Brown, Towe, Hafferman, Watt, Harper, Huennekens. Referred to Committee on Taxation.
HB 759, introduced by Bertelsen, Bennett, (By Request of the Department of Natural Resources). Referred to Committee on Natural Resources.
HB 760, introduced by Meyer, McCallum, Fabrega, Moore. Referred to Committee on Local Government.
HB 761, introduced by Scully, Vincent, Nordtvedt, Sales, Ellerd. Referred to Committee on Appropriations.
HB 762, introduced by Spilker, (By Request of the Board of Cosmetologists). Referred to Committee on State Administration.
HB 763, introduced by Eudaily, Lory, Ellis, Gould. Referred to Committee on Education and Cultural Resources.
HB 764, introduced by Feda, Manning. Referred to Committee on Business and Industry.
HB 765, introduced by Underdal. Referred to Committee on Taxation.
HJR 36, introduced by Nathe, Lien, Day, Keyser, Huennekens. Referred to Committee on Natural Resources.

The following Senate bills were introduced, read first time and referred to committees:

SB 148, introduced by Hazelbaker, S. Brown, Norman, Peterson, (By Request of the Attorney General). Referred to Committee on Business and Industry.
SB 167, introduced by E. Smith, Keyser, Ramirez, Sivertsen, R. Anderson, Moore, Sales, Fagg, Spilker, Kropp, Iverson, Hurwitz, Roskie, Underdal, C. Smith, Ernst, Hemstad, Curtiss, Bertelsen, Schultz, Lund, Hayne, Wyrick, Ellison, Lory, Jensen, Donaldson, Seifert, Johnson, Stobie, Porter, Burnett, Meyer, Lensink, McCallum, Kolstad, Goodover, Rasmussen, Hazelbaker, Turnage, Conroy, Nordtvedt, Stimatz, M. Anderson, Lowe, Nelson, Olson, O'Hara, Etchart, Galt, Mathers, Hager, Aklestad, Severson, Lockrem, Himsl, Thoft, Dover, B. Brown, Stephens, Frates, Roth, Johnston. Referred to Committee on Taxation.
SB 263, introduced by Rasmussen, S. Brown. Referred to Committee on Local Government.
SB 264, introduced by Boylan, Hager. Referred to Committee on Local Government.

SB 297, introduced by Hager, (By Request of the Department of Justice). Referred to Committee on Highways and Transportation.

SJR 10, introduced by E. Smith, Kolstad, Lowe, McCallum, M. Anderson, Etchart, Olson, Nelson, Aklestad, Story, Galt, Conover, Hager, Manley. Referred to Committee on Agriculture, Livestock and Irrigation.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 212 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 89

Noes: Daily.
Total 1

Excused: Ellis, Fagg, Gesek, Lund, Yardley.
Total 5

Absent or not voting: Conroy, Dassinger, Harrington, Keedy, Lien.
Total 5

House Bill No. 227 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Hurwitz, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Seifert, Shelden, South, Spilker, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 81

Noes: Azzara, Holmes, Huennekens, Iverson, Jensen, McBride, Roth, Sivertsen, Smith, Staigmiller, Teague.
Total 11

Excused: Ellis, Fagg, Gesek, Lund, Yardley.
Total 5

Absent or not voting: Conroy, Oberg, Ramirez.
Total 3

House Bill No. 330 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Keyser, Kropp, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Sivertsen, South, Spilker, Staigmiller, Teague, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 79

Noes: Bennett, Ellerd, Hayne, Kvaalen, Moore, Nordtvedt, Sales, Smith, Stobie, Thoft, Uhde.
Total 11

Excused: Ellis, Fagg, Gesek, Lund, Yardley.
Total 5

Absent or not voting: Burnett, Conroy, Keedy, Kessler, Shelden.
Total 5

House Bill No. 331 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wyrick, Mr. Speaker.
Total 88

Noes: Burnett, Keedy, Waldron.
Total 3

Excused: Ellis, Fagg, Gesek, Lund, Yardley.
Total 5

Absent or not voting: Conroy, Donaldson, Scully, Wood.
Total 4

House Bill No. 335 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Ellis, Fagg, Gesek, Lund, Yardley.
Total 5

Absent or not voting: Bardanouve, Conroy.
Total 2

House Bill No. 361 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ernst, Eudaily, Fabrega, Feda, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Roth, Sales, Scully, Seifert, Shelden, South, Spilker, Stobie, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 73

Noes: Brand, Burnett, Dussault, Ellison, Hemstad, Jensen, Marks, Menahan, Moore, Nordtvedt, Ramirez, Rosenthal, Sivertsen, Smith, Staigmiller, Teague, Thoft, Tropila.
Total 18

Excused: Ellis, Fagg, Gesek, Lund, Yardley.
Total 5

Absent or not voting: Azzara, Conroy, Frates, Schultz.
Total 4

House Bill No. 367 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 91

Noes: Roth, Seifert, Uhde.
Total 3

Excused: Ellis, Fagg, Gesek, Lund, Yardley.
Total 5

Absent or not voting: Holmes.
Total 1

House Bill No. 368 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault,

Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.
Total 85

Noes: Bennett, Burnett, Conroy, Jensen, Roth, Sales, Smith, Staigmiller, Wood.
Total 9

Excused: Ellis, Fagg, Gesek, Lund, Yardley.
Total 5

Absent or not voting: Kessler.
Total 1

House Bill No. 378 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Scully, Seifert, Shelden, South, Staigmiller, Teague, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.
Total 80

Noes: Burnett, Hayne, Hurwitz, Iverson, Keyser, Marks, Roth, Sales, Sivertsen, Smith, Spilker, Stobie, Thoft, Underdal, Wood.
Total 15

Excused: Ellis, Fagg, Gesek, Lund, Yardley.
Total 5

Absent or not voting: None.
Total 0

House Bill No. 454 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 92

Noes: Brand, Manning, Nathe.
Total 3

Excused: Ellis, Fagg, Gesek, Lund, Yardley.
Total 5

Absent or not voting: None.
Total 0

House Bill No. 464 was passed by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Magone, Manuel, Marks, Menahan, Meyer, Moore, Nathe, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.
Total 78

Noes: Azzara, Bardanouve, Brand, Cooney, Dussault, Harper, Holmes, Johnson, Kessler, McBride, Manning, Metcalf, Nordtvedt, Oberg, Teague, Waldron.
Total 16

Excused: Ellis, Fagg, Gesek, Lund, Yardley.
Total 5

Absent or not voting: Burnett.
Total 1

House Bill No. 475 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Stobie, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 84

Noes: Bardanouve, Brand, Conroy, Huennekens, K. Robbins, Smith, Staigmiller, Teague, Thoft.
Total 9

Excused: Ellis, Fagg, Gesek, Lund, Yardley.
Total 5

Absent or not voting: Burnett, Donaldson.
Total 2

House Bill No. 514 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day,

Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 93

Noes: Tropila.
Total 1

Excused: Ellis, Fagg, Gesek, Lund, Yardley.
Total 5

Absent or not voting: Burnett.
Total 1

House Bill No. 518 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Kemmis, Kessler, Kropp, Kvaalen, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 86

Noes: Jensen, Keedy, Keyser, Lien, Roth, Smith, Thoft.
Total 7

Excused: Ellis, Fagg, Gesek, Lund, Yardley.
Total 5

Absent or not voting: Burnett, Oberg.
Total 2

House Bill No. 519 was passed by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ernst, Eudaily, Fabrega, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Seifert, Shelden, Sivertsen, Spilker, Stobie, Teague, Thoft, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 80

Noes: Anderson, Huennekens, Jensen, Keedy, Nathe, Oberg, Ramirez, Sales, Smith, South, Staigmiller, Tropila.

Total 12

Excused: Ellis, Fagg, Gesek, Lund, Yardley.
Total 5

Absent or not voting: Burnett, Ellison, Scully.
Total 3

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Tropila in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 190, second reading copy, be amended as follows: (51-42)

1. Page 6, lines 22 through 25.
Following: "1978,"
Strike: material therein through line 25 in its entirety
Insert: "and thereafter the taxable wage base for each year is $6,000."

2. Page 7, lines 7 through 16.
Following: line 6
Strike: material therein through line 16 in its entirety

And as amended, do pass. (91-0)

That HB 274, second reading copy, be amended as follows: (71-9)

1. Page 1, line 14.
Following: "(1)"
Strike: "Any person, firm, or corporation"
Insert: "A city or town may, by resolution, require that all persons, firms, or corporations"

2. Page 1, lines 16 and 17.
Following: "shall"
Strike: "be required by the city or town"

That HB 274, second reading copy, be further amended as follows: (80-2)

1. Page 2, lines 7 through 15.
Following: "(3)"
Strike: remainder of line 7 through "service." on line 15

And as amended, do pass. (49-43)

That HB 337, second reading copy, be amended as follows: (77-11)

1. Page 1, line 11.
Following: "on"
Strike: "July"
Insert: "January"
Following: "1,"
Strike: "1975"

Insert: "1979"

And as amended, do pass. (89-1)

House at ease at 4:34 p.m.

House reconvened at 4:43 p.m.

That HB 366, second reading copy, be amended as follows: (67-6)

1. Page 2.
Following: line 13
Insert: "SECTION 2. THERE IS A NEW MCA SECTION THAT READS:

Provision of services. In all cases of annexation under current Montana law, services will be provided as specified in Title 7, chapter 2, part 47, except where mutually agreed upon by the municipality and the freeholders of the area to be annexed."
Renumber: subsequent sections

2. Page 2, line 18.
Following: "~~3~~"
Strike: "2"
Insert: "3"

3. Page 2, line 23.
Following: "~~3~~"
Strike: "2"
Insert: "3"

And as amended, do pass. (53-28)

That HB 94 do pass. (86-4)

That HB 279, second reading copy, be amended as follows: (86-1)

1. Page 2, line 18.
Following: line 17
Strike: "is"
Insert: "are"

And as amended, do pass. (89-1)

That HB 350, second reading copy, be amended as follows: (74-11)

1. Page 3, lines 18 through 21.
Strike: subsection (4) in its entirety

And as amended, do pass. (45-42)

That HB 466 do pass. (84-0)

That HB 484 do pass. (49-43)

That HB 511, second reading copy, be amended as follows: (71-13)

1. Page 2, line 4.
Following: "elsewhere"
Insert: "and carried onto those premises by the customers on each occasion of use"

2. Page 2, line 11.
Following: "of"
Strike: "$200"
Insert: "$400"

And as amended, do pass. Motion failed. (29-63)

That HB 511, as amended, do not pass. (64-25)

Ellis, Yardley, Lund, Gesek present at this time.

That HJR 19, second reading copy, be amended as follows: (79-4)

1. Title, line 9.
Following: line 8
Strike: "MEXICAN-AMERICAN"
Insert: "HISPANIC"

2. Title, line 11.
Following: "ESTABLISHED"
Strike: "MEXICAN-AMERICAN"
Insert: "HISPANIC AMERICAN"

3. Page 1, line 14.
Following: "confronting"
Strike: "Mexican-Americans"
Insert: "Americans of Hispanic heritage"

4. Page 1, line 16.
Following: "average"
Strike: "Mexican-American"
Insert: "Hispanic heritage"

5. Page 2, line 9.
Following: "of"
Strike: "Mexican-American"
Insert: "Hispanic"

6. Page 2, line 11.
Following: "established"
Strike: "Mexican-American"
Insert: "Hispanic American"

And as amended, do pass. (62-20)

Tropila moved that the Committee of the Whole Report be deemed read. Motion carried.

Bardanouve moved that HB 190 be segregated from the Committee of the Whole Report, and as amended, report be adopted. Kvaalen requested that the vote be taken only to segregate HB 190 because he was going to make a subsequent motion. Whereupon, Bardanouve's motion to segregate HB 190 passed. (89-0)

Kvaalen moved that HB 350 be segregated from the Committee of the Whole Report. After an explanation, he withdrew his motion. Tropila then moved adoption of the Committee of the Whole Report as amended. (Tropila, Chairman). Report adopted. (78-11)

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/12/79
Correctly printed - HB 414, HB 503.

Do Pass

EDUCATION AND CULTURAL RESOURCES (Gilligan, Chairman): 2/10/79
HB 209, do pass. Report adopted.

HB 220, do pass. Report adopted.
HB 264, introduced bill, be amended as follows: 2/12/79

1. Page 2, line 3.
Following: "section"
Insert: ": (a) must not be available to the other countersigner of the warrant, or (b) the device"

2. Page 2, line 6.
Following: "plates"
Strike: ". The signature plates"
Insert: "which"

3. Page 2, line 8.
Following: "of the"
Strike: "county superintendent of schools"
Insert: "board of trustees of the district"

And as amended, do pass. Report adopted.

HB 272, introduced bill, be amended as follows:

1. Title, line 5.
Following: "FOR"
Strike: "TERMINATION"
Insert: "NONRENEWAL"

2. Page 2, line 6 and line 7.
Following: "notice of"
Strike: "termination or"

3. Page 2, line 10.
Following: line 9
Strike: "termination of his services"
Insert: "nonrenewal of his contract"

4. Page 2, line 13.
Following: line 12
Strike: "his termination"
Insert: "nonrenewal"

5. Page 2, line 15.
Following: line 14.
Strike: "termination"
Insert: "nonrenewal"

6. Page 2, line 17.
Following: "their"
Strike: "termination"

And as amended, do pass. Report adopted.

HUMAN SERVICES (Holmes, Chairman): 2/12/79
HB 463, do pass. Report adopted.

JUDICIARY (Scully, Chairman): 2/12/79
HB 456, introduced bill, be amended as follows:

1. Title, line 9.
Strike: "; AND PROVIDING AN EFFECTIVE DATE"

And as amended, do pass. Report adopted.

HB 549, do pass. Report adopted.

HB 568, introduced bill, be amended as follows:

1. Title, line 11.
Following: "BUREAU,"
Strike: "AND"
Following: "SCIENCE"
Insert: ", AND THE MONTANA CRIMINAL LAW INFORMATION CENTER"

2. Page 1, line 23.
Following: "~~Two dollars~~"
Strike: "Four dollars"
Insert: "One-half"

3. Page 6, line 25.
Following: "justice"
Strike: "."
Insert: ";"

4. Page 6.
Following: line 25
Insert: "(e) to fund the Montana criminal law information center."

And as amended, do pass. Report adopted.

HB 569, do pass. Report adopted.
HB 580, do pass. Report adopted.
HB 602, do pass. Report adopted.
HB 603, do pass. Report adopted.
HB 608, introduced bill, be amended as follows:

1. Page 1, line 23.
Following: "50-32-224"
Insert: ", except marihuana or tetrahydrocannabinols,"

And as amended, do pass. Report adopted.

HB 609, introduced bill, be amended as follows:

1. Page 1, line 12.
Following: "indicated."
Insert: "Out-of-state editorials must be labeled by the source and, if known, by the author."

And as amended, do pass. Report adopted.

HB 611, introduced bill, be amended as follows:

1. Title, line 6.
Following: "PERSON"
Strike: "SHALL"
Insert: "MAY"

2. Title, line 7.
Following: "THAN"
Strike: "90"
Insert: "30"

3. Page 1, lines 15 and 16.
Following: line 14
Strike: "imprisonment for a term not more than 90 days, to which may be added, in the discretion of the court,"

4. Page 1, line 17.

Following: "$500"
Insert: "to which may be added, in the discretion of the court, imprisonment for a term not more than 30 days"

And as amended, do pass. Report adopted.

NATURAL RESOURCES (Shelden, Chairman): 2/12/79
HB 313, do pass. Report adopted.

STATEMENT OF INTENT RE: House Bill No. 313

Because two sections of this bill delegate authority to the Department of Administration to adopt rules necessary to implement life-cycle costing, the House Committee on Natural Resources submits this Statement of Intent for the purpose of clarity delineating this authority.

The purpose of this bill is to encourage energy-efficient designs in state facilities to be constructed and financed in the future. To accomplish this goal, the bill requires that proposed facilities be evaluated not just from the perspective of front-end construction costs, but from the perspective of costs of operation and maintenance, particularly with respect to energy use, over the expected life of the facility. The bill provides, in section 3, that no state agency may construct a facility with an area of 5,000 square feet or greater without having secured a proper evaluation of life-cycle costs. These costs must be disclosed along with the capitalization of the initial construction costs, before construction may proceed. The life-cycle costs must be a primary consideration in selection of a building design.

Sections 4 and 5 grant extensive rule-making authority to the department of administration to implement the application of life-cycle costs analyses and energy performance indices. In section 4(1), the committee has added language to clearly instruct the department of administration that the costs of conducting these studies are included in the standard architectural fee schedule established for state facilities. Thus the committee intends that the fiscal impact of the bill be minimized.

Costs should be incurred by the department only for developing the standards to be followed by architects submitting designs for state facilities. Section 4 is explicit as to what those standards must include.

Section 5 directs the department to adopt rules for energy performance indices to eventually serve as a measure of building performance with respect to energy consumption. It is intended that this would be an ongoing process of evaluation and refinement of those rules as experience with these practices develops.

/s/Shelden

Adverse Committee Reports

EDUCATION AND CULTURAL RESOURCES (Gilligan, Chairman): 2/10/79
HB 336, do not pass.

JUDICIARY (Scully, Chairman): 2/12/79
HB 541, do not pass.
HB 562, do not pass.

On motion by Quilici, the Adverse Committee Report on HB 622 was adopted by the following vote: (73-11)

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Conroy, Cooney, Curtiss, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hemstad, Huennekens, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lory, Lund, McBride, Magone, Manning, Manuel,

Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Seifert, Shelden, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Williams, Yardley, Mr. Speaker.
Total 73

Noes: Bertelsen, Brand, Dassinger, Ernst, Holmes, Kropp, Schultz, Uhde, Waldron, Wood, Wyrick.
Total 11

Excused: Fagg.
Total 1

Absent or not voting: Bardanouve, Burnett, Daily, Ellerd, Gould, Hayne, Hirsch, Hurwitz, Johnston, Lien, Marks, Roth, Scully, Sivertsen, Smith.
Total 15

MOTIONS

Quilici moved that HB 756 be rereferred from the Committee on Business and Industry to the Committee on Agriculture, Livestock and Irrigation. Motion carried.

Dussault moved that the rules be temporarily suspended to allow bills this day reported out of committee without amendment to be placed on Second Reading for the Thirty-sixth Legislative Day without being reprinted. Motion carried. (86-0)

Dussault moved to pass consideration of HB 190 until the Thirty-seventh Legislative Day. Motion carried. (58-23)

Dussault moved that the House adjourn until 2:30 p.m., February 13, 1979.

Motion carried.

House adjourned at 7:03 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

THIRTY-SIXTH LEGISLATIVE DAY

Helena, Montana
February 13, 1979

House Chambers
Capitol Building

House convened at 2:29 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Thirty-second Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/13/79
Correctly printed - HB 431, HB 441, HJR 3, HJR 21.

Do Pass

HUMAN SERVICES (Holmes, Chairman): 2/12/79
HB 234, introduced bill, be amended as follows:

1. Title, line 5.
Following: "INCLUDE"
Insert: "A"
Following: "DENTAL"
Strike: "HYGIENISTS"
Insert: "HYGIENIST"

2. Title, line 8.
Following: "DAYS;"
Insert: "REDEFINING A QUORUM FOR BOARD MEETINGS;"
Strike: "SECTION"
Insert: "SECTIONS"
Following: "2-15-1606"
Insert: "AND 37-4-202"

3. Page 1, line 15.
Following: "and"
Strike: "two"
Insert: "one"
Strike: "hygienists"
Insert: "hygienist"

4. Page 1, line 16.
Following: "The Montana"
Strike: "state"

5. Page 1, line 23.
Following: "Montana"
Strike: "state"

6. Page 2, line 1.
Following: "practice"
Strike: "dentistry"
Insert: "a dental profession"

7. Page 2, line 2.
Following: "practiced"

Strike: "dentistry"

8. Page 2, lines 13 through 17.
Strike: section 2 in its entirety
Insert: "SECTION 2. SECTION 37-4-202, MCA IS AMENDED TO READ:

'37-4-202. Meetings—notice—quorum—records. (subsections 1 and 2 remain the same) (3) ~~Three~~ Four members of the board constitute a quorum for the transaction of business. Its proceedings are open to public inspection in cases of public interest. (subsections 4 and 5 remain the same)'"

And as amended, do pass. Report adopted.

LOCAL GOVERNMENT (H. Robbins, Chairman): 2/13/79
HB 382, do pass. Report adopted.

STATE ADMINISTRATION (Brand, Chairman): 2/13/79
HB 482, introduced bill, be amended as follows:

1. Page 3, line 8.
Following: line 7
Insert: "aggregate"

2. Page 3, line 8.
Following: "expenditure"
Insert: "per fiscal year"

And as amended, do pass. Report adopted.

HB 491, do pass. Report adopted.
HB 513, do pass. Report adopted.
HB 531, introduced bill, be amended as follows:

1. Page 3, line 10.
Following: "property."
Insert: "The depository shall, on a quarterly basis, certify to the state treasurer that sufficient first mortgages and trust indentures on real property are available and segregated to secure deposits of public funds. The board of investments shall determine the amount of security required."

And as amended, do pass. Report adopted.

HB 551, do pass. Report adopted.
HB 695, do pass. Report adopted.

Adverse Committee Reports

HUMAN SERVICES (Holmes, Chairman): 2/13/79
HB 235, introduced bill, be amended as follows:

1. Title, line 4.
Following: "TO"
Strike: "REQUIRE"
Insert: "FACILITATE"

2. Page 1, line 13.
Following: "for"
Strike: "designated"
Insert: "reserved"

3. Page 1, line 19 through line 3 on page 4.

Following: line 18
Strike: the remainder of the bill in its entirety
Insert: "(2) 'Enclosed public place' means any indoor area, room, or vehicle used by the general public or serving as a place of work, including but not limited to restaurants, stores, offices, trains, buses, educational or health care facilities, auditoriums, arenas, assembly and meeting rooms.

(3) 'Establishment' means an enterprise under one roof that serves the public and for which a single person, agency, corporation, or legal entity is responsible.

(4) 'Smoking' or 'to smoke' includes the act of lighting, smoking, or carrying a lighted cigar, cigarette, pipe, or any smokable product.

(5) 'Working area' means an enclosed room where more than one employee works.

SECTION 4. THERE IS A NEW MCA SECTION THAT READS AS FOLLOWS:

Designation or reservation of smoking or nonsmoking areas — notice. (1) Except for those public places provided for in [section 5 of this act], the proprietor or manager of a public place shall:

(a) designate nonsmoking areas with signs;

(b) reserve a part of the public place for nonsmokers and post signs designating a smoking area; or

(c) designate the entire area as a smoking area.

(2) The proprietor or manager of an establishment containing public places shall post a sign in a conspicuous place at all public entrances to the establishment stating, in a manner that can be easily read and understood, whether or not areas within the establishment have been reserved for nonsmokers.

SECTION 5. THERE IS A NEW MCA SECTION THAT READS AS FOLLOWS:

Smoking prohibited in certain areas. Smoking is prohibited in elevators, museums, galleries, kitchens, and libraries of any establishment doing business with the general public.

SECTION 6. THERE IS A NEW MCA SECTION THAT READS AS FOLLOWS:

Requirements of health care facilities. (1) Health care facilities shall:

(a) ask all in-patients, prior to admission, to designate their preference for a nonsmoking or smoking patient room and, when possible, accommodate such a preference;

(b) prohibit smoking in all kitchens, laboratories, and corridors;

(c) prohibit smoking in storage areas for supplies or materials and wherever flammable liquids, gases, or oxygen is stored or in use;

(d) provide a nonsmoking area in all waiting rooms;

(e) prohibit employees from smoking in patient rooms; and

(f) require visitors to obtain express approval from all patients in the patient room, or from the patients' physicians, prior to smoking.

(2) Nothing in this section shall prohibit a health care facility from banning smoking on all or a part of its premises.

(3) All areas of a health care facility not specifically referred to in this section may be considered smoking areas unless posted otherwise.

SECTION 7. THERE IS A NEW MCA SECTION THAT READS AS FOLLOWS:

Exemptions. Except for working areas in enclosed public places, the following shall be exempt from [this act]:

(a) restrooms;

(b) taverns or bars where meals are not served;

(c) vehicles seating six or fewer members of the public.

SECTION 8. THERE IS A NEW MCA SECTION THAT READS AS FOLLOWS:

Enforcement. The provisions of [this act] shall be supervised and enforced by the local boards of health under the direction of the department.

Section 9. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

And as amended, do not pass.

STATE ADMINISTRATION (Brand, Chairman): 2/13/79
HB 522, introduced bill, be amended as follows:

1. Page 1, lines 10 through 22.
Following: "(1)"
Strike: lines 10 through 22 in their entirety
Insert: "Aggregate contributions to political committees which are specifically organized to support or oppose a particular statewide ballot issue are limited as follows:

(a) from an individual, not to exceed $500;

(b) from a political committee, not to exceed $1,000.

(2) This section does not prohibit direct expenditures by an individual or a political committee which are over and above the contribution limits established under subsection (1) if the expenditures are made independently and without the advice or consent, express or implied, of the political committee."

2. Page 1, line 24.
Following: "chapter"
Strike: "27"
Insert: "37"

3. Page 1, line 25.
Following: "chapter"
Strike: "27"
Insert: "37"

And as amended, do not pass.

Ellerd, Holmes, Metcalf, Vincent, Waldron, Cooney, Kemmis, Dussault, Wyrick, Gerke objected that HB 235 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

On motion by Dussault, the Adverse Committee Report on HB 305 was adopted by the following vote: (67-12)

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Conroy, Curtiss, Daily, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Gesek, Gilligan, Hand, Harrington, Hayne, Hemstad, Huennekens, Iverson, Jensen, Johnston, Kanduch, Keyser, Kropp, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Rosenthal, Roth, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Uhde, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 67

Noes: Cooney, Dozier, Dussault, Frates, Harper, Holmes, Johnson, Keedy, Metcalf, Oberg, K. Robbins, Tropila.
Total 12

Excused: Fagg.
Total 1

Absent or not voting: Azzara, Bertelsen, Brand, Burnett, Donaldson, Gould, Hirsch, Hurwitz, Kemmis, Kessler, Kvaalen, McBride, Nordtvedt, Reichert, H. Robbins, Sales, Scully, South, Vinger, Waldron.
Total 20

On motion by Williams, the Adverse Committee Report on HB 362 was adopted by the following vote: (66-16)

Ayes: Anderson, Baeth, Bengtson, Bennett, Brand, Conroy, Cooney, Daily, Day, Dozier, Dussault, Ellis, Ellison, Eudaily, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Keyser, Kropp, Lien, Lory, Lund, Magone, Manning, Marks, Menahan, Metcalf, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, K. Robbins, Rosenthal, Roth, Scully, Seifert, Shelden, Sivertsen, Smith, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Williams, Wood, Yardley, Mr. Speaker.
Total 66

Noes: Curtiss, Dassinger, Ellerd, Ernst, Fabrega, Manuel, Meyer, Moore, Nathe, Nordtvedt, Ramirez, Sales, Schultz, Spilker, Uhde, Wyrick.
Total 16

Excused: Fagg.
Total 1

Absent or not voting: Azzara, Bardanouve, Bertelsen, Burnett, Donaldson, Gould, Hirsch, Hurwitz, Kemmis, Kessler, Kvaalen, McBride, Reichert, H. Robbins, South, Vinger, Waldron.
Total 17

On motion by Quilici, the Adverse Committee Report on HB 545 was adopted by the following vote: (69-8)

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Feda, Frates, Gesek, Gilligan, Hand, Harper, Hayne, Hemstad,

Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keyser, Kropp, Lien, Lory, Lund, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Porter, Quilici, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Williams, Wood, Yardley, Mr. Speaker.
Total 69

Noes: Conroy, Fabrega, Marks, Moore, Nordtvedt, Ramirez, K. Robbins, Staigmiller.
Total 8

Excused: Fagg.
Total 1

Absent or not voting: Azzara, Bertelsen, Brand, Burnett, Donaldson, Gould, Harrington, Hirsch, Holmes, Hurwitz, Keedy, Kemmis, Kessler, Kvaalen, McBride, Pistoria, Reichert, H. Robbins, South, Vinger, Waldron, Wyrick.
Total 22

MESSAGES FROM THE OTHER HOUSE

Senate Bills and Senate Joint Resolution passed as amended and transmitted to the House for concurrence: 2/12/79

Senate Bill No. 106, introduced by Bob Brown

Senate Bill No. 168, introduced by Goodover, Moore, Fabrega, et al

Senate Bill No. 190, introduced by Stimatz

Senate Joint Resolution No. 14, introduced by Bob Brown, Galt, Jergeson, Graham

House Bills concurred in and returned to the House: 2/12/79

House Bill No. 8, introduced by Marks

House Bill No. 30, introduced by Yardley

Senate Bills passed and transmitted to the House for concurrence: 2/12/79

Senate Bill No. 150, introduced by Mehrens, Peterson, et al

Senate Bill No. 187, introduced by Goodover, Moore, Stephens, et al

Senate Bill No. 257, introduced by Thiessen, Kvaalen, Olson, et al

Senate Bill No. 266, introduced by Palmer

Senate Bill No. 267, introduced by Towe

MOTIONS

Dussault moved that SB 29, SB 52, SB 68, SB 77, SB 140, SB 141 pass consideration until the Forty-sixth Legislative Day. Motion carried.

Dussault moved that the rules be temporarily suspended to allow bills this day reported out of committee without amendment to be placed on Second Reading for the Thirty-seventh Legislative Day without being reprinted. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 766, introduced by Porter, Ramirez. Referred to Committee on Labor and Employment Relations.

HB 767, introduced by Donaldson. Referred to Committee on Fish and Game.

HB 768, introduced by Kropp, Brand, Magone, Johnston, Kanduch, Sivertsen, Schultz, Iverson, Dassinger, Wyrick, Ernst, Underdal, Hirsch, Bertelsen, Vinger, Hayne, C. Smith, Burnett. Referred to Committee on Taxation.

HB 769, introduced by Azzara, Kemmis, Pavlovich, Watt, Hurwitz. Referred to Committee on Business and Industry.

HB 770, introduced by Feda, Burnett, Marks, Vinger, Hand, Nathe, Lund, Quilici. Referred to Committee on Taxation.

HB 771, introduced by Dussault, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Human Services.

HB 772, introduced by McBride, Dussault. Referred to Committee on Agriculture, Livestock and Irrigation.

HB 773, introduced by Seifert, Ellison, Marks, Uhde, Anderson, Staigmiller, Bennett, Porter, Keedy. Referred to Committee on Natural Resources.

HB 774, introduced by Seifert, Moore, Feda, Marks. Referred to Committee on Judiciary.

HB 775, introduced by Seifert, Moore, Feda, Bennett, Marks, Spilker. Referred to Committee on Judiciary.

HB 776, introduced by Uhde. Referred to Committee on Highways and Transportation.

HB 777, introduced by Huennekens, Vincent. Referred to Committee on Judiciary.

HB 778, introduced by Keedy. Referred to Committee on Highways and Transportation.

HB 779, introduced by Scully. Referred to Committee on Business and Industry.

HB 780, introduced by Brand, McBride, Oberg, South, Hafferman, Staigmiller, Keyser, Stephens, Yardley, Mehrens, B. Brown, Stimatz, Bardanouve, Harrington, Roth, S. Brown, Jergeson, H. Robbins, Cooney, Magone, Kanduch, Shelden, Gerke, Hazelbaker, Palmer, Galt, Ryan, E. Smith, Story, Manning, R. Smith, Healy, Ellerd. Referred to Committee on Highways and Transportation.

HB 781, introduced by Holmes, Bengtson, Lund, Lory, Metcalf, Lowe, Regan. Referred to Committee on State Administration.

HB 782, introduced by Menahan, (By Request). Referred to Committee on Judiciary.

HB 783, introduced by Lory, Ramirez. Referred to Committee on Judiciary.

HB 784, introduced by Holmes, Hager, Waldron. Referred to Committee on Taxation.

HB 785, introduced by Dussault, Fasbender, Scully. Referred to Committee on Natural Resources.

HB 786, introduced by Lory, Ramirez. Referred to Committee on Business and Industry.

HB 787, introduced by Oberg, Brand, E. Smith, Nathe, Galt, B. Brown, Dassinger, Iverson, Day, Dozier, H. Robbins, Menahan, Harrington, Mehrens, Story. Referred to Committee on Highways and Transportation.

HB 788, introduced by Iverson, Jergeson, Scully, Kolstad, Cooney, Schultz, Marks, Conroy, Keyser, Day, Vincent, Sivertsen, Regan, Fasbender, Johnson, Roskie, Blaylock, E. Smith, Conover, Hager, R. Smith, Manley, Brand, Galt, H. Robbins, S. Brown, Dussault, South,

Manuel, Lowe, Dover, Story, Ryan. Referred to Committee on Highways and Transportation.

HB 789, introduced by Burnett, E. Smith, Kropp, Lien, Day. Referred to Committee on State Administration.

HB 790, introduced Hemstad, Kessler, Meyer, Ellison, Manuel, Stobie, Cooney, C. Smith. Referred to Committee on Natural Resources.

HB 791, introduced by Nathe, Feda. Referred to Committee on Business and Industry.

HJR 37, introduced by Azzara, Kemmis, Vincent, Keyser, Watt, Hurwitz. Referred to Committee on Natural Resources.

HJR 38, introduced by Magone, Brand, South, Galt, Staigmiller, Harrington, Mehrens, Hazelbaker, Palmer, Oberg, Nordtvedt, Ryan, E. Smith, S. Brown, McCallum, Stimatz, Manning, H. Robbins, B. Brown, Healy, Gilligan, Cooney, Kanduch. Referred to Committee on State Administration.

HJR 39, introduced by Brand, McBride, Baeth, Oberg, Hirsch, Dozier, Harrington, Galt, E. Smith, Stimatz, B. Brown, Cooney, Magone, Kanduch, Shelden, Gerke, Roth, Jergeson, Story, R. Smith, H. Robbins, S. Brown, Healy. Referred to Committee on Appropriations.

HJR 40, introduced by Holmes, Vincent, Metcalf, Palmer, Bertelsen, Schultz, Bengtson. Referred to Committee on State Administration.

HJR 41, introduced by Yardley, Brand, McCallum, Galt, Gilligan, Staigmiller, Magone, Moore, Mathers, O'Connell, H. Robbins, Baeth, S. Brown, Ryan, Healy, E. Smith, Cooney, Kanduch, Hirsch, Johnston, Manuel, Kolstad, Gesek. Referred to Committee on State Administration.

The following Senate bills were introduced, read first time and referred to committees:

SB 106, introduced by B. Brown. Referred to Committee on Local Government.

SB 150, introduced by Mehrens, Peterson, Healy, Hafferman, R. Smith, Lowe, (By Request of the Department of Labor and Industry). Referred to Committee on Labor and Employment Relations.

SB 168, introduced by Goodover, Moore, Fabrega, Wood, Ellerd, Curtiss, Schultz, Kropp, Kolstad, Wyrick, Aklestad, M. Anderson, Etchart, Fagg, Lund, Hurwitz, Bertelsen, R. Anderson, Vinger, Donaldson, Thoft, Ramirez, Nordtvedt, Ellison, Sales, Sivertsen, Keyser, Hemstad, Iverson, Seifert, Nathe, Meyer, Underdal, Porter, Spilker, Stobie, Smith, Ernst, Roth, Hazlebaker, E. Smith, Mathers, Roskie, Galt, Nelson, Olson, Lowe, Lensink, O'Hara, Lockrem, Rasmussen, Ellis, Hafferman, Lory, Eudaily, Jensen. Referred to Committee on Taxation.

SB 187, introduced by Goodover, Moore, Stephens, Kolstad, Mathers, Olson, Aklestad, Severson, Hager, Dover, Hazelbaker, McCallum, Rasmussen, Turnage, Lensink, Roskie, O'Hara, Nelson, Lockrem, Galt, Lowe, E. Smith, Story, B. Brown. Referred to Committee on Taxation.

SB 190, introduced by Stimatz, (By Request of the Department of Administration). Referred to Committee on Labor and Employment Relations.

SB 257, introduced by Thiessen, Kvaalen, Olson, Day, E. Smith, H. Robbins, Williams, Wood, Wyrick, K. Robbins. Referred to Committee on Local Government.

SB 266, introduced by Palmer. Referred to Committee on Labor and Employment Relations.

SB 267, introduced by Lowe. Referred to Committee on Local Government.

SJR 14, introduced by B. Brown, Galt, Jergeson, Graham. Referred to Committee on Agriculture, Livestock and Irrigation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Metcalf in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 129, second reading copy, second printing, be amended as follows: (66-6)

1. Page 1, line 13.
Following: "chapter 51]"
Insert: "as a result of carelessness or factual mistake"

2. Page 1, line 16.
Following: "Overpayments,"
Insert: "resulting from carelessness or factual mistake,"

And as amended, do pass. (73-4)

House recessed at 2:47 p.m.

At this time, the Speaker appointed Dassinger and Tropila to escort the Honorable Senator John Melcher to the rostrum. Senator Melcher addressed the House members.

House reconvened at 2:55 p.m.

That HB 166 do pass. (85-1)

That HB 276 do pass. (89-0)

Fagg present at this time.

That HB 343 do pass. Motion failed. (43-48)

That HB 343 do not pass. (54-32)

That HB 505 do pass. (88-3)

That HB 63 do pass. (66-25)

That HB 106 do pass. Motion failed. (41-55)

That HB 106 do not pass. (65-31)

That HB 209 do pass. (95-0)

That HB 220 do pass. (84-2)

That HB 348, second reading copy, be amended as follows: (84-0)

1. Page 2, line 5.
Strike: "may"
Insert: "shall"

And as amended, do pass. (86-7)

Dussault moved that the Committee rise and report and beg leave to sit again. (Metcalf, Chairman). Motion carried.

Dussault moved that the Committee of the Whole Report be deemed read. Motion carried. Report adopted. (83-4)

REPORTS OF STANDING COMMITTEES

Do Pass

BUSINESS AND INDUSTRY (Quilici, Chairman): 2/13/79
HB 486, introduced bill, be amended as follows:

1. Title, line 8.
Following: "AMENDING"
Strike: "SECTION"
Insert: "SECTIONS"

2. Title, line 8.
Following: "SECTION"
Insert: "16-11-113, 16-11-131,"
Following: "16-11-132,"
Insert: "AND 16-11-133,"

3. Page 1.
Following: line 10
Insert: "SECTION 1. SECTION 16-11-113, MCA, IS AMENDED TO READ:

'16-11-113. Tax insignia. (1) Within 72 hours after receipt by the distributor or dealer of any cigarettes, except as hereinafter provided, he shall cause to be securely affixed thereto the required insignia denoting the tax thereon. A person specifically exempted under the provisions of 16-11-132 (2) may not be considered to be acting unlawfully under this section. (subsections (2) through (5) remain the same)'

SECTION 2. SECTION 16-11-131, MCA, IS AMENDED TO READ:

'16-11-131. Transporting cigarettes without insignia a misdemeanor. It shall be unlawful for any person to transport into, receive, carry, or move from place to place within this state, except in the course of interstate commerce, any cigarettes which do not bear the insignia required by this part, except for a person specifically exempted in 16-11-132 (2). Any person violating the provisions of this section is guilty of a misdemeanor and shall be punished as hereinafter provided.'"

4. Page 1, line 23.
Following: line 22
Insert: "resident"
Following: "wholesaler,"
Insert: "resident"

5. Page 2, line 13.
Following: "of a"
Strike: "misdemeanor"
Insert: "felony"

6. Page 2.
Following: line 15

Insert: "SECTION 4. SECTION 16-11-133, MCA, IS AMENDED TO READ:

'16-11-133. Sale and use of cigarettes without insignia unlawful. Every person who sells any package of cigarettes which does not bear the insignia required by this part and every person who uses or consumes a cigarette within this state, taken from a package which does not bear the required insignia, is guilty of a misdemeanor and shall be punished as hereinafter provided, except that a person specifically exempted under the provisions of 16-11-132 (2) may not be considered to be acting unlawfully under this section.'"

And as amended, do pass. Report adopted.

HB 502, introduced bill, be amended as follows:

1. Title, line 4.
Following: "STATE"
Insert: "SMALL"

2. Title, line 5.
Following: "PROCEDURES"
Strike: "AND"
Insert: ","

3. Title, line 6.
Following: "PURPOSE"
Insert: "; AND PROVIDING FOR AN APPROPRIATION."

4. Page 1, line 10.
Following: "Montana"
Insert: "Small"

5. Page 1, line 12.
Following: "eliminate"
Insert: "retail, wholesale, consumer service, manufacturer, and distributor"

6. Page 1, line 15.
Following: "of"
Insert: "such"

7. Page 1, line 17.
Following: "of"
Insert: "such"

8. Page 1, line 22.
Following: "any"
Insert: "retail, wholesale, consumer service, manufacturing, and distributing"

9. Page 1, line 23.
Following: "of"
Insert: "small"

10. Page 1, line 25.
Following: "a"
Insert: "small"

11. Page 2, line 1.
Following: "The"
Insert: "small"

12. Page 4.

Following: line 6
Insert: "Section 7. Appropriation. There is appropriated $39,146 in fiscal year 1980 and $29,888 in fiscal year 1981 from the general fund to the agency designated by the governor to administer the small business licensing coordination center for the purpose of carrying out the provisions of this act."

And as amended, do pass. Report adopted.

STATEMENT OF INTENT RE: House Bill No. 502

A statement of intent is required for House Bill No. 502 in that it delegates rulemaking authority to the governor in Section 5.

1. Subsection (1) of section 5 provides that the governor has the power to direct changes in license administration, consistent with law. The governor may direct certain changes based on the recommendations of the small business license coordination center. The duties of the small business license coordination center are set forth in section 4 of this bill. As a point of clarity, the governor's authority to direct changes in executive agencies already exists. It is not intended that subsection (1) of section 5 delegate new authority or additional power to the governor.

2. In subsection (2) of section 5, the governor is authorized to adopt rules to change the license renewal period or expiration date of any license. This authority has been delegated to the governor in order to realize the primary goal of this legislation. Presently, any one business may require more than one license that expires on different dates. The intent of this bill is to create a uniform licensing procedure if possible, to eliminate unnecessary licenses, and develop a system whereby a person could apply for more than one license at one time. If the objectives of consistency and uniformity are to be met, it is imperative that the governor have the power to change license expiration and renewal dates. Any rule adopted that relates to changing the expiration or renewal date of a license shall be consistent with the provisions of the Montana Administrative Procedure Act.

/s/Quilici

HB 599, do pass. Report adopted.
HB 650, do pass. Report adopted.
HJR 17, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Gilligan, Chairman): 2/13/79

HB 219, introduced bill, be amended as follows:

1. Title, line 7.
Following: "MANDATORY"
Insert: "; PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 1, line 21.
Following: "20-4-211."
Insert: "This requirement must be a local district requirement with enforcement and administration solely the responsibility of the local board of trustees."

3. Page 2.
Following: line 1
Insert: "Section 2. Effective date. This act is effective on passage and approval."

And as amended, do pass. Report adopted.

HB 296, introduced bill, be amended as follows: 2/12/79

1. Title, line 5.
Following: "FEDERAL"
Strike: "AND STATE"

2. Page 3, line 1.
Following: "federal"
Strike: "or state funds to supplement the"
Insert: "funds received under Title I of Public Law 81-874 to increase the school district's"

3. Page 3, line 2.
Following: "budget"
Insert: "as established in 20-9-316 through 20-9-321 by the amount of these funds"

And as amended, do pass. Report adopted.

HB 473, introduced bill, be amended as follows:

1. Title, line 7.
Following: "POSTSECONDARY"
Strike: "VOCATIONAL AND TECHNICAL"
Insert: "VOCATIONAL-TECHNICAL"

And as amended, do pass. Report adopted.

Adverse Committee Reports

BUSINESS AND INDUSTRY (Quilici, Chairman): 2/13/79
HB 631, do not pass.
HB 572, do not pass.

Cooney, Vincent, Manning, Dussault, McBride, Brand, Waldron, Kemmis, Azzara, Uhde objected that HB 522 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

MOTIONS

Dussault moved that HB 451 be taken from Second Reading and referred to the Committee on Appropriations. Motion carried.

Dussault moved that HB 751 and HB 760 be rereferred from the Committee on Local Government to the Committee on Judiciary. Motion carried.

Quilici moved that HB 740 be rereferred from the Committee on Business and Industry to the Committee on Taxation. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 425 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hemstad, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Lory, Lund, McBride, Magone, Manning, Manuel, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, Rosenthal, Scully, Shelden, Sivertsen, Spilker, Staigmiller, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.

Total 71

Noes: Bardanouve, Burnett, Ellison, Ernst, Feda, Harper, Hayne, Hirsch, Hurwitz, Kropp, Kvaalen, Marks, Moore, Ramirez, K. Robbins, Roth, Sales, Schultz, Seifert, Smith, South, Stobie, Thoft, Underdal, Vinger, Wood, Wyrick.
Total 27

Excused: None.
Total 0

Absent or not voting: Lien, Menahan.
Total 2

House Bill No. 100 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Daily, Dassinger, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley.
Total 91

Noes: Brand, Cooney, Dussault, Harper, Johnson, McBride, Mr. Speaker.
Total 7

Excused: None.
Total 0

Absent or not voting: Day, Lien.
Total 2

House Bill No. 228 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Burnett, Cooney, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lory, Lund, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, South, Spilker, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Yardley.
Total 80

Noes: Bennett, Brand, Conroy, Curtiss, Ellison, Hayne, Keyser, Manning, Pavlovich, Pistoria, Seifert, Sivertsen, Smith, Staigmiller, Stobie, Vinger, Wyrick, Mr. Speaker.
Total 18

Excused: None.
Total 0

Absent or not voting: Day, Lien.
Total 2

House Bill No. 302 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Brand, Conroy, Cooney, Daily, Dassinger, Dozier, Dussault, Ellis, Ernst, Eudaily, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Holmes, Huennekens, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Scully, Shelden, Staigmiller, Teague, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Yardley, Mr. Speaker.
Total 65

Noes: Bardanouve, Bertelsen, Burnett, Curtiss, Donaldson, Ellerd, Ellison, Fabrega, Fagg, Hayne, Hirsch, Hurwitz, Iverson, Keyser, Kropp, Kvaalen, Marks, Nordtvedt, Porter, Ramirez, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Stobie, Thoft, Underdal, Wood, Wyrick.
Total 33

Excused: None.
Total 0

Absent or not voting: Day, Lien.
Total 2

House Bill No. 377 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Scully, Seifert, Shelden, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 86

Noes: Frates, Gesek, Kvaalen, Moore, Nordtvedt, Ramirez, Rosenthal, Sivertsen, Smith, Stobie, Vinger, Wood.
Total 12

Excused: None.
Total 0

Absent or not voting: Day, Lien.
Total 2

House Bill No. 388 failed to pass by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Brand, Cooney, Dassinger, Dozier, Dussault, Fabrega, Fagg, Gesek, Gilligan, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnson, Keedy, Kemmis, Kessler, Lory, McBride, Manning, Manuel, Menahan, Metcalf, Meyer, Oberg, O'Connell, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Scully, Shelden, South, Teague, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 46

Noes: Anderson, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Daily, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily, Feda, Frates, Gould, Hand, Hayne, Hemstad, Hurwitz, Iverson, Jensen, Johnston,

Kanduch, Keyser, Kropp, Kvaalen, Lund, Magone, Marks, Moore, Nathe, Nordtvedt, Pavlovich, Pistoria, Porter, K. Robbins, Roth, Schultz, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Thoft, Tropila, Underdal, Vinger, Wood, Wyrick.
Total 52

Excused: None.
Total 0

Absent or not voting: Day, Lien.
Total 2

House Bill No. 445 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.
Total 84

Noes: Burnett, Ellerd, Gould, Hurwitz, Jensen, Kvaalen, Roth, Sales, Smith, Underdal, Wood, Yardley.
Total 12

Excused: None.
Total 0

Absent or not voting: Azzara, Day, Lien, Pistoria.
Total 4

House Bill No. 493 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: Feda, Smith, Uhde.
Total 3

Excused: None.
Total 0

Absent or not voting: Azzara, Day, Lien.
Total 3

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Metcalf in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 414, second reading copy, be amended as follows: (79-14)

1. Page 3, lines 16 through 19.
Strike: Section 4 in its entirety
Insert: "SECTION 4. THERE IS A NEW MCA SECTION THAT READS:

Enforcement. The department of health and environmental sciences is responsible for the enforcement of [this act]. The department may utilize the enforcement powers granted by Title 75, chapter 5, part 6, in exercising its authority under this section."

And as amended, do pass. (51-48)

Tropila moved that HB 435 pass consideration for the day. Motion carried. (60-33)

Hurwitz excused at this time.

That HB 452, second reading copy, be amended as follows: (78-21)

1. Title, line 18.
Following: "NEED"
Insert: "WHICH HAS BEEN"

2. Title, line 22.
Following: "1979"
Insert: ", AND WHICH IS DECLARED INVALID BY THE MONTANA SUPREME COURT DUE TO PROCEDURAL DEFICIENCIES IN THE HEARING PROCESS"

3. Page 2, line 4.
Following: "need"
Insert: "which has been"

4. Page 2, line 8.
Following: "1979,"
Insert: "and which is declared invalid by the Montana supreme court due to procedural deficiencies in the hearing process,"

5. Page 3, line 13.
Following: "ASSOCIATED FACILITIES"
Insert: "which has been"

6. Page 3, line 15.
Following: "HEARING"
Strike: "WHICH"
Insert: "that"

7. Page 3, line 16.
Following: "CHAPTER"

Strike: "IS"
Insert: "and which is declared by the Montana supreme court to be invalid by reason of procedural defects in the hearing process is validated,"
Following: "RATIFIED"
Insert: ","

And as amended, do pass. (56-44)

House at ease at 6:32 p.m.

House reconvened at 6:40 p.m.

That HB 463 do pass. (91-1)

That HB 498 do pass. (90-0)

Bardanouve, Harper excused at this time.

Burnett moved that HB 503 be placed at the bottom of the board. Motion carried.

That HB 539 do pass. (88-2)

Williams moved that HB 548 be placed at the bottom of the board. Motion carried.

That HB 549 do pass. (86-0)

Harper present at this time.

That HB 566 do pass. (59-33)

That HB 569 do pass. (74-12)

That HB 580 do pass. (79-5)

That HB 602 do pass. (74-10)

That HB 603 do pass. (74-12)

That HB 503 do pass. Motion failed. (25-57)

That HB 503 do not pass. (64-21)

That HB 548 do pass. (85-1)

That the Committee rise and report. (Metcalf, Chairman). Report adopted. (65-17)

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/13/79
Examined by Sponsor and found to be correct - HB 22, HB 218.

Will be signed on adjournment, 2/13/79 - HB 22, HB 218.

Correctly engrossed - HB 274, HB 279, HB 337, HB 350, HB 366.
Correctly printed - HB 456, HB 568, HB 609, HB 611.

Signed by the Speaker on adjournment, 2/12/79 - HB 22, HB 218.

Considered correctly engrossed - HB 94, HB 466, HB 484.
Correctly enrolled - HB 22, HB 218.

Dussault moved that the Reports of Standing Committees be deemed read. Motion carried.

Do Pass

HIGHWAYS AND TRANSPORTATION (Baeth, Chairman): 2/13/79
HB 380, introduced bill, be amended as follows:

1. Page 1, line 17.
Following: "that"
Insert: ", in the case of highways in the state maintenance system as defined in 60-2-105 and 60-2-203"

2. Page 1, line 23.
Strike: "and signals on state-controlled highway routes"

3. Page 1, line 24.
Following: "agreements"
Insert: "required by 61-8-203"

And as amended, do pass. Report adopted.

HB 544, do pass. Report adopted.

JUDICIARY (Scully, Chairman): 2/12/79
HB 278, second reading copy, be amended as follows:

1. Page 2, line 4.
Following: "five or"
Strike: "less"
Insert: "fewer"

2. Page 2, line 8.
Following: "CHILD,"
Strike: "OR"

3. Page 2, line 9.
Following: "GRANDCHILD"
Insert: ", or a spouse of either a child or grandchild"

4. Page 2, lines 19 and 20.
Following: "OF THE SAME FAMILY"
Strike: "WHO ARE PART OF THE BUSINESS ENTITY"

5. Page 3, line 10.
Following: "CHILDREN,"
Insert: "grandchildren,"

And as amended, do pass. Report adopted.

HB 422, second reading copy, be amended as follows: 2/13/79

1. Page 2, line 16.
Following: "by"
Insert: "or enrolled as a student in"

And as amended, do pass. Report adopted.

HB 500, second reading copy, be amended as follows: 2/13/79

1. Page 2, line 17.
Following: "veterinarian"
Strike: "."
Insert: ";"

2. Page 2.
Following: line 17
Insert: "(d) transfers of the substances listed in subsection (1) within any college or university to an employee or student of the

college or university for the purpose of teaching or research authorized by the college or university."

And as amended, do pass. Report adopted.

HB 618, introduced bill, be amended as follows: 2/13/79

1. Title, lines 6 and 7.
Strike: "ESTABLISHING A MANDATORY MINIMUM SENTENCE OF 2 YEARS FOR NEGLIGENT HOMICIDE AND FOR AIDING OR SOLICITING SUIDICE;"

2. Title, line 16.
Strike: "45-5-104, 45-5-105"

3. Page 2, lines 6 through 22.
Strike: sections 2 and 3 in their entirety
Renumber: subsequent sections

4. Page 4, lines 18 and 19.
Strike: "45-5-104(2), 45-5-105(2),"

And as amended, do pass. Report adopted.

HB 620, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Williams, Chairman): 2/13/79

HB 323, do pass. Report adopted.
HB 349, introduced bill, be amended as follows:

1. Title, line 6.
Following: "MONTHS"
Strike: "FROM FILING OF"
Insert: "AFTER SUBMITTING"

2. Title, line 7.
Following: "COMPLAINT"
Insert: "TO THE HEARING OFFICER"

3. Page 3, line 4.
Following: "is"
Strike: "filed"
Insert: "submitted to the hearing officer"

And as amended, do pass. Report adopted.

LOCAL GOVERNMENT (H. Robbins, Chairman): 2/13/79
HB 46, introduced bill, be amended as follows:

1. Title, line 9.
Following: "76-3-104,"
Insert: "76-3-201,"

2. Title, line 11.
Following: "REPEALING"
Strike: "76-3-201, AND"

3. Page 4.
Following: line 17
Insert: "(6) 'Occasional sale' means one division of land for conveyance within any 12 months following the transaction."
Renumber: subsequent subsections

4. Page 6.

Following: line 21
Insert: "SECTION 4. SECTION 76-3-201, MCA, IS AMENDED TO READ:

'76-3-201. Exemption for certain divisions of land. Unless the method of disposition is adopted for the purpose of evading this chapter, the requirements of this chapter shall not apply to any division of land which:

~~(1) is created by order of any court of record in this state or by operation of law or which, in the absence of agreement between the parties to the sale, could be created by an order of any court in this state pursuant to the law of eminent domain (Title 70, chapter 30);~~

~~(2)~~ (1) is created to provide security for construction mortgages, liens, or trust indentures;

~~(3)~~ (2) creates an interest in oil, gas, minerals, or water which is now or hereafter severed from the surface ownership of real property;

~~(4)~~ (3) creates cemetery lots.

~~(5) is created by the reservation of a life estate;~~

~~(6) is created by lease or rental for farming and agricultural purposes.~~'"
Renumber: subsequent sections

5. Page 7.
Following: line 24
Insert: "(d) a single division of a parcel, to which title or contract for deed as recorded in a notice of purchaser's interest filed with the clerk and recorder has been held continuously by the person proposing to divide the parcel for a period of 5 years and which is outside the platted subdivisions, where the transaction is an occasional sale. Any further division of the exempted parcel shall be reviewed by the governing body under the provisions of this chapter."
Renumber: subsequent subsections

6. Page 8, line 2.
Following: "lots"
Insert: ", provided that the survey is filed with the county clerk and recorder as an amended plat"

7. Page 10, line 12.
Following: "in"
Strike: "76-3-606(3)"
Insert: "76-1-606(3)"

8. Page 14, line 10.
Following: "[section"
Strike: "13"
Insert: "12"

9. Page 14, line 21.
Following: "submit"
Strike: "either"

10. Page 14, lines 22 through 25.
Following: "regulations"
Strike: "or a final plat that complies with local regulations and the department of community affairs' uniform standards for final subdivision plats"

11. Page 15, lines 2 through 4.
Following: "with"
Strike: "76-3-611 if a final plat is submitted or in accordance with"
Following: "76-3-610"
Strike: "if a preliminary plat is submitted"

12. Page 17, line 11.
Following: "Repealer."
Strike: "Sections 76-3-201 and"
Insert: "Section"

13. Page 17, line 12.
Following: "MCA,"
Strike: "are"
Insert: "is"

And as amended, do pass. Report adopted.

HB 61, introduced bill, be amended as follows:

1. Page 1, line 11.
Following: "after"
Strike: "July 1, 1974"
Insert: "[the effective date of this act]"

2. Page 1, line 16.
Following: "existing"
Insert: "authorized mill levies or the"

3. Page 1, line 16 through 19.
Strike: "The means of financing such activity may be through a general or special levy or through remission of funds by the state of Montana to said local government unit."

4. Page 1, line 21.
Following: "existing"
Insert: "authorized mill levies or the"

5. Page 1, line 24.
Following: "may"
Strike: "provide"
Insert: "fulfill the requirements of [this act] by providing"

6. Page 1, line 25.
Following: line 24
Insert: "existing authorized mill levies or the"

7. Page 2, line 2.
Following: "the"
Insert: "existing authorized mill levies or the"

8. Page 2, lines 11 through 16.
Following: line 10
Strike: subsection (3) in its entirety
Renumber: subsequent subsections

And as amended, do pass. Report adopted.

HB 118, introduced bill, be amended as follows:

1. Page 2, line 6.
Following: line 5
Strike: "prescribed in 20-3-207"

Insert: "required of county superintendents in counties where the office has not been consolidated"

And as amended, do pass. Report adopted.

HB 318, introduced bill, be amended as follows:

1. Page 2, line 11.
Following: "within"
Strike: "60"
Insert: "90"

And as amended, do pass. Report adopted.

HB 381, introduced bill, be amended as follows:

1. Page 1, line 16.
Following: "for"
Strike: "3"
Insert: "5"

2. Page 1, line 20.
Following: "area"
Strike: "or unless"
Insert: ", and after the expiration of 5 years, the municipality may provide such service only if"

3. Page 2, line 2.
Strike: "shall"
Insert: "may"

And as amended, do pass. Report adopted.

RULES (Dussault, Chairman): 2/13/79

HB 237, introduced bill, be amended as follows:

1. Page 1, line 15.
Following: "subcommittees."
Strike: "(1)"

2. Page 1, line 16.
Following: "house"
Insert: ", in consultation with the minority leader of the house,"
Following: "senate"
Insert: ", in consultation with the minority leader of the senate,"

3. Page 1, lines 17 through 21.
Strike: lines 17 through "shall" on line 21

4. Page 1, line 24.
Following: line 23
Strike: "(a)"
Insert: "(1)"

5. Page 2.
Following: line 1
Strike: "(b)"
Insert: "(2)"

6. Page 2, lines 5 through 10.
Strike: lines 5 through 10 in their entirety

7. Page 4, line 6.
Following: "speaker"

Strike: ","
Insert: "and the"

8. Page 4, line 7.
Following: "committees"
Strike: ", and legislative council"

And as amended, do pass. Report adopted.

TAXATION (Huennekens, Chairman): 2/13/79
HB 181, introduced bill, be amended as follows:

1. Page 21, line 2.
Following: "~~15-30-202~~"
Strike: "(5)"
Insert: "(4)"

2. Page 33, line 4.
Following: "under"
Strike: " ["
Following: "15"
Strike: "]"

3. Page 33, line 5.
Following: "Codification. Section"
Strike: "33"
Insert: "32"

4. Page 33, line 7.
Following: "section"
Strike: "33"
Insert: "32"

And as amended, do pass. Report adopted.

MOTIONS

Harrington moved that HB 681 be rereferred from the Committee on Human Services to the Select Committee on Aging and that HB 679 be rereferred from the Committee on Appropriations to the Select Committee on Aging. Motion carried.

Tropila moved that HB 435 be taken from Second Reading and referred to the Committee on Business and Industry. Motion carried.

Hand moved that his vote be recorded as yes on HB 452 on Second Reading this day. Motion carried unanimously.

Curtiss moved that her vote be recorded as yes on HB 452 on Second Reading this day. Motion carried unanimously.

Kessler moved that the House reconsider its action taken this day on HB 106 on Second Reading. Motion carried. (66-22)

Shelden moved that HB 773 be rereferred from the Committee on Natural Resources to the Committee on Business and Industry. Motion carried.

Shelden moved that HJR 37 be rereferred from the Committee on Natural Resources to the Committee on Business and Industry. Motion carried.

Dussault moved that HB 526 be taken from the Committee on Rules and be printed and placed on Second Reading. Motion carried.

REPORTS OF STANDING COMMITTEES

Adverse Committee Reports

HIGHWAYS AND TRANSPORTATION (Baeth, Chairman): 2/13/79
HB 326, introduced bill, be amended as follows:

1. Title, line 7.
Following: "VEHICLE"
Insert: "EXCEPT WHERE ALLOWED BY A UNITED STATES STATUTE OR REGULATION OR IN OTHER LIMITED CIRCUMSTANCES"

2. Page 1, line 16.
Following: "nontransparent"
Insert: "or semitransparent"

3. Page 1, line 19.
Following: "intersecting highway"
Strike: "or"
Insert: ","

4. Page 1, line 21.
Following: "vehicle"
Insert: ", or which presents a metallic or mirrored appearance when viewed from outside the vehicle, except for motor vehicles equipped or provided in subsection (4)"

5. Page 2.
Following: line 3
Insert: "(4) Any noncommercial or recreational pickup truck, van, panel, or truck with any sign, poster, picture, or other nontransparent or semitransparent material on a rear or rear side window that obstructs the driver's clear view of the highway or any intersecting highway or any motor vehicle that has no rear window or rear side window shall be equipped with an exterior mirror on each side that complies with the visibility requirements of 61-9-404.

(5) This section does not apply to the operation or sale of any motor vehicle that has any sign, poster, picture, or other nontransparent or semitransparent material upon the windshield or windows with which the motor vehicle could have been sold or equipped for sale when new or standard or optional equipment under any United States statute or regulation governing the sale at the time of the manufacture."

And as amended, do not pass.

LABOR AND EMPLOYMENT RELATIONS (Williams, Chairman): 2/13/79

HB 333, do not pass.
HB 564, do not pass.
HB 632, do not pass.
HJR 24, do not pass.
HJR 25, do not pass.

On motion by Gilligan, the Adverse Committee Report on HB 336 was adopted by the following vote: (74-7)

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Iverson, Jensen,

Johnson, Johnston, Kanduch, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, Magone, Manuel, Marks, Meyer, Moore, Nathe, Nordtvedt, Oberg, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, Rosenthal, Schultz, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Thoft, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 74

Noes: Brand, Holmes, Kemmis, Metcalf, Teague, Tropila, Waldron.
Total 7

Excused: Bardanouve, Hurwitz.
Total 2

Absent or not voting: Azzara, Conroy, Daily, Ellerd, Fagg, Keedy, Lien, McBride, Manning, Menahan, O'Connell, H. Robbins, K. Robbins, Roth, Sales, Scully, Smith.
Total 17

On motion by Scully, the Adverse Committee Report on HB 562 was adopted by the following vote: (67-19)

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hayne, Holmes, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lory, Lund, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Moore, Nordtvedt, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, Rosenthal, Schultz, Seifert, Shelden, Sivertsen, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 67

Noes: Daily, Ellison, Fabrega, Feda, Harrington, Hemstad, Hirsch, Johnson, Kvaalen, Meyer, Nathe, Oberg, Scully, South, Spilker, Teague, Vinger, Wood, Wyrick.
Total 19

Excused: Bardanouve, Hurwitz.
Total 2

Absent or not voting: Azzara, Ellerd, Fagg, Huennekens, Lien, Manning, O'Connell, H. Robbins, K. Robbins, Roth, Sales, Smith.
Total 12

On motion by Scully, the Adverse Committee Report on HB 541 was adopted by the following vote: (60-28)

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Brand, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Feda, Frates, Gesek, Gould, Harper, Harrington, Hayne, Holmes, Huennekens, Jensen, Johnson, Keedy, Kemmis, Kessler, Lory, McBride, Magone, Marks, Metcalf, Oberg, Pistoria, Porter, Quilici, Ramirez, Reichert, Rosenthal, Sales, Schultz, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Uhde, Vincent, Vinger, Waldron, Williams, Yardley, Mr. Speaker.
Total 60

Noes: Burnett, Conroy, Ellerd, Ellison, Fabrega, Gilligan, Hand, Hemstad, Hirsch, Iverson, Johnston, Keyser, Kropp, Kvaalen, Lund, Manuel, Menahan, Meyer, Moore, Nathe, Nordtvedt, Pavlovich, Scully, Thoft, Tropila, Underdal, Wood, Wyrick.

Total 28

Excused: Bardanouve, Hurwitz.
Total 2

Absent or not voting: Azzara, Fagg, Kanduch, Lien, Manning, O'Connell, H. Robbins, K. Robbins, Roth, Smith.
Total 10

MESSAGES FROM THE OTHER HOUSE

Rep. Harold Gerke 2/13/79
Speaker of the House

According to Joint Rule No. 8-5(3), I am instructed by the Senate to inform you of any rule changes made by the Senate.

The Senate, on February 13, 1979, on motion duly carried, adopted Senate Rules Standing Committee Report, and a copy of the said report is herewith attached.

Respectfully yours,

Dennis D. Casey
Secretary of the Senate

SENATE STANDING COMMITTEE REPORT

February 12, 1979

That the printed joint rules be amended as follows:

On page 28, paragraph one:

Strike: "All bill drafting requests must be submitted to the Legislative Council by 5 p.m. on the fourteenth legislative day."

Insert: "All drafting requests must be submitted to the Legislative Council by 5 p.m. four legislative days before introduction deadline for that category of bill or resolution as per the following schedule:

	Drafting Deadline	Introduction Deadline
General bills and resolutions	14th Day	18th Day
Revenue bills	17th Day	21st Day
Committee bills and resolutions	36th Day	40th Day
Appropriations bill and study resolutions	None	None"

February 12, 1979

SENATE STANDING COMMITTEE REPORT

That the printed joint rules be amended as follows:

On page 28, paragraph one, line 7:

Following: "shall have"
Insert: "until 5:00 p.m."

Senate Bills passed as amended and transmitted to the House for concurrence: 2/13/79

Senate Bill No. 70, introduced by Thiessen, Ryan, et al

Senate Bill No. 185, introduced by Dover, Roskie, Galt

Senate Bill No. 336, introduced by Story

House Bill passed on Third Reading Consent Calendar and returned to the House: 2/13/79

House Bill No. 146, introduced by Harrington

Senate Bills passed and transmitted to the House for concurrence: 2/13/79

Senate Bill No. 93, introduced by Lowe, Mehrens, et al

Senate Bill No. 296, introduced by Van Valkenburg

Senate Bill No. 305, introduced by Watt

Senate Bill No. 307, introduced by O'Hara

Senate Bill No. 308, introduced by Rasmussen

Senate Bill No. 310, introduced by Story

Senate Bill No. 322, introduced by Healy, Mehrens, et al

Senate Bill No. 328, introduced by Lowe, Mathers, et al

Senate Bill No. 332, introduced by Watt

Senate Bill No. 333, introduced by Watt

Senate Bill No. 334, introduced by O'Hara

Senate Bill No. 338, introduced by Peterson

Senate Bill No. 339, introduced by Rasmussen

Dussault moved that the House adjourn until 2:30 p.m., February 14, 1979.

Motion carried.

House adjourned at 8:19 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

THIRTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
February 14, 1979

House Chambers
Capitol Building

House convened at 2:29 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Bengtson, Brand, Dassinger, Day, Ellerd, Ernst, Hayne, Hirsch, Jensen, Johnson, Schultz, Smith, Waldron, excused. Quorum present.

Representatives Bengtson, Brand, Dassinger, Day, Ellerd, Ernst, Hayne, Hirsch, Jensen, Johnson, Schultz, Smith present at this time.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/14/79

Considered correctly engrossed - HB 63, HB 166, HB 209, HB 220, HB 276, HB 463, HB 498, HB 505, HB 539, HB 548, HB 549, HB 566, HB 569, HB 580, HB 602, HB 603.

Signed by the Speaker on adjournment, 2/12/79 - HB 18, HB 167.

Correctly engrossed - HJR 19.
Correctly printed - HB 264, HB 272, HB 313, HB 522, HB 531, HB 608.

Delivered to the Governor for his approval at 8:47 a.m., 2/14/79 - HB 18, HB 167.

Signed by the Speaker on adjournment, 2/13/79 - HB 22, HB 218.

Do Pass

BUSINESS AND INDUSTRY (Quilici, Chairman): 2/14/79

HB 594, do pass. Report adopted.
HB 597, do pass. Report adopted.
HB 598, introduced bill, be amended as follows:

1. Title, line 8.
Following: "FOR"
Strike: "$35"
Insert: "$25"

2. Page 8, line 12.
Following: "~~$25~~"
Strike: "$35"
Insert: "$25"

And as amended, do pass. Report adopted.

Adverse Committee Reports

BUSINESS AND INDUSTRY (Quilici, Chairman): 2/14/79

HB 595, do not pass.

Moore, Hemstad, Meyer, Manuel, Ellison, Donaldson, Manning, Wood, Kropp, Hurwitz objected that HB 326 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

Manuel, Ernst, Underdal, Nathe, Donaldson, Vinger, Bengtson, Kropp, Schultz, Iverson objected that HB 572 was reported out of committee with

a do not pass recommendation and requested that the bill be referred to Second Reading.

Burnett, Porter, Ellerd, Kropp, Schultz, Wyrick, Spilker, Staigmiller, K. Robbins, Thoft objected that HB 631 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

Moore, Fabrega, Conroy, Ellerd, Sales, Meyer, Ellison, Ernst, Schultz, Donaldson objected that HB 632 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

Marks, Moore, Meyer, Ellison, Burnett, Ramirez, Donaldson, Kropp, Sivertsen, Hurwitz objected that HJR 24 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

MOTIONS

Menahan moved that the Speaker be authorized to appoint a committee to look into and try to find out ways to settle the strike in our institutions. Considerable discussion followed. Motion failed. (30-62)

Scully moved that the rules be suspended for the purposes of allowing him to introduce a bill concerning a section of law in the sunset statutes. Motion carried. (93-2)

Dussault moved that the rules be temporarily suspended to allow bills this day reported out of committee without amendment to be placed on Second Reading for the Thirty-eighth Legislative Day.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 792, introduced by Day, Kvaalen, C. Smith, Wyrick, Kemmis, Vincent, Harper, Menahan, Manuel. Referred to Committee on Natural Resources.

HB 793, introduced by Fabrega. Referred to Committee on Business and Industry.

HB 794, introduced by Yardley, H. Robbins, Dussault. Referred to Committee on Business and Industry.

HB 795, introduced by Fabrega, Fasbender, Moore, Reichert, Tropila, Meyer, Gilligan, Teague, Dozier, Kemmis, Waldron. Referred to Committee on Taxation.

HB 796, introduced by Ramirez, Sivertsen, Fabrega. Referred to Committee on Taxation.

HB 797, introduced by Uhde. Referred to Committee on Judiciary.

HB 798, introduced by Metcalf. Referred to Committee on Judiciary.

HB 799, introduced by Porter, Lory, Van Valkenburg. Referred to Committee on Judiciary.

HB 800, introduced by Ellerd. Referred to Committee on Agriculture, Livestock and Irrigation.

HB 801, introduced by Meyer, Roskie. Referred to Committee on Local Government.

HB 802, introduced by Lien. Referred to Committee on Business and Industry.

HB 803, introduced by R. Anderson, Gesek, Pavlovich, Feda, Hayne, Roth, Jensen, Nathe. Referred to Committee on Judiciary.

HB 804, introduced by R. Anderson, Harrington, Cooney, Seifert, Teague. Referred to Committee on State Administration.
HB 805, introduced by Williams, (By Request of the Code Commissioner). Referred to Committee on Judiciary.
HB 806, introduced by Keedy. Referred to Committee on Fish and Game.
HB 807, introduced by Roth. Referred to Committee on Appropriations.
HB 808, introduced by Baeth, Shelden. Referred to Committee on State Administration.
HB 809, introduced by Harrington, Day, Iverson, Teague, Holmes, Vincent, Story. Referred to Committee on State Administration.
HB 810, (introduced by Natural Resources Committee), Shelden, Chairman. Referred to Committee on Human Services.
HB 811, introduced by Porter, Spilker, Metcalf, Menahan, Burnett. Referred to Committee on Education and Cultural Resources.
HB 812, introduced by Cooney, Menahan, Scully. Referred to Committee on Judiciary.
HB 813, (introduced by House Judiciary Committee), Scully, Chairman. Referred to Committee on Judiciary.
HB 814, introduced by Lien, Roth, Ernst, Bengtson, Burnett, Kropp, C. Smith, Wood, Wyrick, Staigmiller, Underdal, Graham, Dover. Referred to Committee on Taxation.
HB 815, introduced by Nathe, Keyser, Manuel, Manning, Bardanouve, Ramirez, Hurwitz, Roth, Menahan, Bertelsen, South, Conroy. Referred to Committee on Business and Industry.
HB 816, introduced by Fagg, Shelden, McBride, Huennekens. Referred to Committee on Natural Resources.
HB 817, introduced by Fagg, (By Request of the Board of Landscape Architects). Referred to Committee on Business and Industry.
HB 818, introduced by Ellis, Dussault, Lory, Eudaily, Azzara, Kemmis, Waldron, Gould. Referred to Committee on Appropriations.
HJR 42, introduced by Azzara, Kvaalen, Huennekens, Johnston, Fabrega, Moore, Magone, Metcalf, Marks, Manning, Bardanouve, Thoft, Lory, Nathe, Kanduch, Donaldson, Feda, Bertelsen, Hurwitz, Kessler, Palmer, Waldron. Referred to Committee on Natural Resources.
HJR 43, introduced by Roth, Ernst, Schultz, Feda, Sales, Daily, Gould, Eudaily, Kolstad, Iverson, Wyrick, Hirsch, Dassinger, Menahan, Manning, Hazelbaker, Brand, Lien, Manuel, Teague, O'Hara, Rosenthal, Galt, Roskie, Hurwitz. Referred to Committee on Highways and Transportation.

The following Senate bills were introduced, read first time and referred to committees:

SB 70, introduced by Thiessen, Ryan, Manley, Graham, Story, Dover, Hafferman, B. Brown. Referred to Committee on Business and Industry.
SB 93, introduced by Lowe, Mehrens, Kolstad, Hager, (By Request of the Commissioner of Insurance). Referred to Committee on Business and Industry.
SB 185, introduced by Dover, Roskie, Galt. Referred to Committee on Natural Resources.
SB 296, introduced by Van Valkenburg. Referred to Committee on Judiciary.
SB 305, introduced by Watt, (By Request of the Code Commissioner). Referred to Committee on Local Government.
SB 307, introduced by O'Hara, (By Request of the Code Commissioner). Referred to Committee on Local Government.

SB 308, introduced by Rasmussen, (By Request of the Code Commissioner). Referred to Committee on Local Government.
SB 310, introduced by Story, (By Request of the Code Commissioner). Referred to Committee on Local Government.
SB 322, introduced by Healy, Mehrens, B. Brown, McCallum, Lowe. Referred to Committee on Judiciary.
SB 328, introduced by Lowe, Mathers, M. Anderson, Healy, Stimatz. Referred to Committee on Business and Industry.
SB 332, introduced by Watt, (By Request of the Code Commissioner). Referred to Committee on Local Government.
SB 333, introduced by Watt, (By Request of the Code Commissioner). Referred to Committee on Local Government.
SB 334, introduced by O'Hara, (By Request of the Code Commissioner). Referred to Committee on Local Government.
SB 336, introduced by Story, (By Request of the Code Commissioner). Referred to Committee on Local Government.
SB 338, introduced by Peterson, (By Request of the Code Commissioner). Referred to Committee on Local Government.
SB 339, introduced by Rasmussen, (By Request of the Code Commissioner). Referred to Committee on Local Government.

The Speaker appointed Keedy and Nathe to escort the Counsel General of Canada to the rostrum. The Speaker then introduced the Counsel General, Gordon Brown. House stood at ease 3:46 p.m. while Mr. Brown addressed the House members. House reconvened at 3:55 p.m.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 94 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Brand, Dassinger, Dozier, Johnson.
Total 4

Excused: Waldron.
Total 1

Absent or not voting: Azzara, Hurwitz, Nathe, Oberg.
Total 4

House Bill No. 274 failed to pass by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bennett, Brand, Dassinger, Donaldson, Dozier, Eudaily, Fabrega, Fagg, Feda, Gilligan, Harper, Harrington, Hemstad, Hirsch, Huennekens, Keedy, Kemmis, Kessler, Lory, Manning,

Manuel, Menahan, Metcalf, Oberg, Porter, Reichert, H. Robbins, Scully, South, Spilker, Uhde, Vincent, Williams, Yardley, Mr. Speaker.
Total 38

Noes: Anderson, Bengtson, Burnett, Conroy, Cooney, Curtiss, Daily, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Frates, Gesek, Gould, Hand, Hayne, Iverson, Jensen, Johnson, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Lien, Lund, McBride, Magone, Marks, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vinger, Wood, Wyrick.
Total 57

Excused: Waldron.
Total 1

Absent or not voting: Bertelsen, Holmes, Hurwitz, Meyer.
Total 4

House Bill No. 279 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Brand, Gesek, Harrington, Hirsch, Johnson, Manning.
Total 6

Excused: Waldron.
Total 1

Absent or not voting: Azzara.
Total 1

House Bill No. 337 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.
Total 90

Noes: Ramirez, Roth, Scully, Smith, Yardley.
Total 5

Excused: Waldron.
Total 1

Absent or not voting: Azzara, Bertelsen, Ellerd, Hand.
Total 4

House Bill No. 350 was passed by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Brand, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Fabrega, Fagg, Frates, Gesek, Gilligan, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnson, Johnston, Keedy, Kemmis, Kessler, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, Rosenthal, Scully, Shelden, South, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 51

Noes: Anderson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily, Feda, Gould, Hand, Hayne, Hemstad, Hurwitz, Iverson, Jensen, Kanduch, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Marks, Meyer, Moore, Nathe, Nordtvedt, Porter, Ramirez, K. Robbins, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Thoft, Underdal, Vinger, Wood, Wyrick.
Total 49

Paired: Waldron, Aye; Sivertsen, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

House Bill No. 366 was passed by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Brand, Cooney, Dassinger, Day, Donaldson, Dozier, Dussault, Fabrega, Fagg, Feda, Frates, Gilligan, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Jensen, Johnson, Keedy, Kemmis, Kessler, Lory, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Oberg, Porter, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Schultz, Scully, South, Spilker, Uhde, Vincent, Williams, Yardley, Mr. Speaker.
Total 50

Noes: Anderson, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Daily, Ellerd, Ellis, Ellison, Ernst, Eudaily, Gesek, Gould, Hand, Hayne, Hurwitz, Iverson, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Lien, Lund, Marks, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Quilici, K. Robbins, Roth, Seifert, Shelden, Smith, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vinger, Wood, Wyrick.
Total 48

Excused: Waldron.
Total 1

Absent or not voting: Sivertsen.
Total 1

House Bill No. 484 failed to pass by the following vote:

Ayes: Anderson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Donaldson, Ellerd, Ellis, Ellison, Ernst, Fabrega, Feda, Gould, Hayne, Hemstad, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keyser, Kropp, Kvaalen,

Lund, Marks, Meyer, Moore, Nathe, Nordtvedt, Porter, Ramirez, K. Robbins, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vinger, Wood, Wyrick.
Total 49

Noes: Azzara, Baeth, Bardanouve, Bengtson, Brand, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Eudaily, Fagg, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnson, Keedy, Kemmis, Kessler, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Oberg, O'Connell, Pavlovich, Quilici, Reichert, H. Robbins, Rosenthal, Scully, Shelden, South, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 50

Paired: Sivertsen, Aye; Waldron, No.

Excused: None.
Total 0

Absent or not voting: Pistoria.
Total 1

REPORTS OF STANDING COMMITTEES

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Metcalf, Chairman): 2/14/79

Recommend that the following be employed by the House of Representatives for the 46th Session at the beginning of business February 19th:

Gloria Tillemans.....Page
Kathy Harrington.....Page
Eric Huggans.....Page
Laura Dowling.....Page
David Winterburn.....Page
Allison Haegen.....Page
Monique Corne.....Page

At the beginning of business February 21st:

James Loran.....Page
Marty Dailey.....Page
William Dailey.....Page

At the close of business February 17, 1979, the following also be terminated:

Laurie Rustad.....Page
Ron Solf.....Page
Edward Manning.....Page
Russ Fagg.....Page
Jennifer Robson.....Page
Lauretta Brook.....Page

At the close of business February 20, 1979, the following also be terminated:

Melody Lees.....Page
Tammie Todd.....Page

Do Pass

JUDICIARY (Scully, Chairman): 2/13/79

HB 666, do pass. Report adopted.
HB 668, do pass. Report adopted. 2/14/79
HB 673, do pass. Report adopted.
HJR 31, do pass. Report adopted.

Adverse Committee Reports

JUDICIARY (Scully, Chairman): 2/14/79
HB 641, do not pass.

Consent Calendar

Bill unanimously passed in committee and unanimously placed on Consent Calendar:

JUDICIARY (Scully, Chairman): 2/14/79
HB 652, do pass. Report adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Kemmis in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Kessler moved that HB 106 be placed at the bottom of the board. Motion carried.

That HB 190, second reading copy, be amended as follows: (79-1)

1. Page 7, line 10.
Following: "(a)"
Insert: "80% of"

And as amended, do pass. (89-4)

Scully moved that HB 323 pass consideration until the Fiftieth Legislative Day. Motion carried. (63-29)

That HB 382 do pass. (65-27)

That HB 431 do pass. (82-5)

Porter excused at this time.

That HB 441, second reading copy, second printing, be amended as follows: (56-18)

1. Page 6, lines 22 and 23.
Strike: subsection (3) in its entirety
Renumber: subsequent subsections

That HB 441, second reading copy, second printing, be further amended as follows: (49-36)

1. Page 8.
Following: line 4
Insert: "SECTION 5. SECTION 23-4-104, MCA, IS AMENDED TO READ:

'23-4-104. Duties of board. The board shall adopt rules to govern race meets and the parimutuel system. These rules shall include the following:

(subsections (1) through (6) remain the same)

(7) the establishment of dates for race meets and meetings in the best interests of breeding and racing in this state; ~~and~~

(8) the veterinary practices and standards which must be observed in connection with race meets~~.~~; and

(9) the standards for accomodations of registered horses bred in Montana which must be observed in connection with race meets."

Renumber: subsequent sections

2. Page 8, line 22 through line 4 on page 9.
Following: line 21
Strike: sections 6 and 7 in their entirety

And as amended, do not pass. (63-28)

House at ease at 5:12 p.m.

House reconvened at 5:15 p.m.

That HB 456 do pass. (88-0)

That HB 491 do pass. (88-0)

That HB 513 do pass. (86-1)

That HB 544 do pass. (78-1)

Keyser moved that HB 551 be placed at the bottom of the board. Motion carried.

That HB 599 do pass. (82-2)

That HB 609 do pass. (59-36)

That HB 611 do pass. (90-1)

That HB 620 do pass. (70-15)

That HB 650 do pass. (84-0)

Vincent moved that HB 695 pass consideration for the day. Motion carried.

Sales, Jensen excused at this time.

That HJR 3 do pass. (68-28)

That HJR 17 do pass. (75-12)

That HJR 21 do pass. (86-1)

That HB 106, second reading copy, be amended as follows: (71-13)

1. Page 1, title, line 8.
Following: "AMENDING"
Strike: "SECTION"
Insert: "SECTIONS 87-2-202, 87-2-204, AND"

2. Page 3, lines 15 through 17.
Following: "[section 3]"
Strike: the remainder of line 15 through "REVENUE," on line 17

3. Page 3, lines 24 and 25.
Following: "that"
Strike: "money derived from tax checkoff contributions to the account is"
Insert: "earmarked moneys for nongame wildlife management that are derived from wildlife conservation licenses are"

4. Page 4, line 1.
Following: "and"
Strike: "is"
Insert: "are"

5. Page 4, lines 3 and 4.
Following: "FROM"
Strike: "THE VOLUNTARY CHECKOFF SET FORTH"
Insert: "a portion of wildlife conservation licenses as provided"

6. Page 4, line 8 through page 5, line 2.
Following: "Section 3."
Strike: the remainder of section 3 in its entirety
Insert: "Section 87-2-202, MCA, is amended to read:

'87-2-202. Application — stamp attachment — fee — expiration. (1) A wildlife conservation license shall be sold upon written application. The application shall contain the applicant's name, age, occupation, place of residence, post office address, and length of time in the state of Montana; state whether the applicant is a citizen of the United States or an alien; and be subscribed by the applicant. The applicant shall present a driver's license or other identification to substantiate the information.

(2) Hunting, fishing, or trapping licenses in the form of tags or stamps issued to a holder of a wildlife conservation license must be affixed to or recorded on the wildlife conservation license according to such rules as the department may prescribe.

(3) Resident and nonresident wildlife conservation licenses may be purchased for a fee of $1, $.10 of which shall be deposited in the nongame wildlife account provided in [section 2].

(4) Licenses issued shall be void after April 30 next succeeding their issuance.'"

7. Page 5, line 3.
Following: line 3
Strike: section 4 in its entirety

Sivertsen moved that HB 106, as amended, pass consideration for the day. Motion carried. (43-42).

Dussault moved that HB 551 pass consideration for the day. Motion carried.

That the Committee rise and report. (Kemmis, Chairman). Harper moved to segregate HB 190 from the Committee of the Whole Report. Motion carried. (86-3) Day moved to segregate HB 431 from the Committee of the Whole Report. Motion carried. (64-20) Kemmis moved that, as amended, report adopted. (78-7)

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/14/79
Correctly engrossed - HB 129, HB 348, HB 414.

Correctly printed - HB 234, HB 422, HB 482.

Examined by the Sponsor and found to be correct - HB 7, HB 27, HB 31, HB 59, HB 74, HB 97.

Correctly enrolled - HB 7, HB 27, HB 31, HB 59, HB 74, HB 97.

Will be signed by the Speaker on adjournment, 2/14/79 - HB 7, HB 27, HB 31, HB 59, HB 74, HB 97.

Do Pass

FISH AND GAME (Staigmiller, Chairman): 2/13/79

HB 261, introduced bill, be amended as follows:

1. Title, line 6.
Following: "THAN"
Strike: "160"
Insert: "640"

2. Page 3, line 5.
Following: "than"
Strike: "160"
Insert: "640"

And as amended, do pass. Report adopted.

HB 648, introduced bill, be amended as follows:

1. Page 1, line 17 through line 19.
Following: "livestock."
Strike: "At least one other member shall be knowledgable and primarily interested in state parks and outdoor recreation."

2. Page 2, line 14.
Following: "fish,"
Strike: "game,"
Following: "wildlife,"
Insert: "and"

3. Page 2, line 18.
Following: "fish, ~~and~~"
Strike: "game,"

4. Page 3, line 6.
Following: "driving,"
Strike: "snowmobiling,"

5. Page 5, lines 1 through 4.
Strike: subsection (9) in its entirety

And as amended, do pass. Report adopted.

NATURAL RESOURCES (Shelden, Chairman): 2/14/79

HB 605, do pass. Report adopted.
HB 676, do pass. Report adopted.
HB 739, do pass. Report adopted.
HJR 26, do pass. Report adopted.

STATE ADMINISTRATION (Brand, Chairman): 2/14/79

HB 654, do pass. Report adopted.
HB 709, do pass. Report adopted.
HB 738, do pass. Report adopted.

TAXATION (Huennekens, Chairman): 2/14/79

HB 457, do pass. Report adopted.

STATEMENT OF INTENT RE: House Bill No. 457

It is understood and intended that any additional costs required to compile the data on the taxable property of counties and cities are to be paid by the Department of Revenue.

/s/Huennekens

Adverse Committee Reports

FISH AND GAME (Staigmiller, Chairman): 2/13/79
HB 478, introduced bill, be amended as follows:

1. Title, line 5.
Following: "SPEAR"
Insert: ", SPEARGUN,"

2. Page 1, lines 15 and 16.
Following: "of any"
Strike: "gun"
Insert: "firearm"
Following: "set"
Strike: "gun"
Insert: "firearm"

3. Page 2, line 3.
Following: "spears"
Insert: ", speargun,"

4. Page 2, line 5.
Following: "nets,"
Insert: "spears,"
Following: "and"
Strike: "rubber or spring-propelled spears"
Insert: "rubber-, spring-, or air-propelled spearguns with attached lanyard of 20 feet maximum"

5. Page 2, line 6.
Following: "sportsmen"
Strike: "swimming or"

6. Page 2, line 13.
Following: line 12
Strike: "such"
Following: "~~nongame~~"
Insert: "nongame"

7. Page 3, line 12.
Following: "spear"
Insert: ", speargun,"
Following: "gig"
Insert: ", by submerged sportsmen,"

8. Page 3, line 14.
Following: "spear"
Insert: ", speargun,"

9. Page 3, line 23.
Following: "spear"
Insert: ", speargun,"

10. Page 4, line 14.

Following: "gig"
Insert: ", speargun,"

11. Page 5, line 1.
Following: "gig"
Insert: ", speargun,"

12. Page 5, line 16.
Following: "gig"
Insert: ", speargun,"

13. Page 6, line 6.
Following: "gig"
Insert: ", speargun,"

And as amended, do not pass.

STATE ADMINISTRATION (Brand, Chairman): 2/14/79
HB 533, do not pass.
HB 536, do not pass.
HB 538, do not pass.

REPORTS OF SELECT COMMITTEES

JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 75
Report No. 1, February 14, 1979

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 75, met February 14, 1979, and considered Senate Committee on Judiciary Amendments dated January 31, 1979, and recommend as follows:

Having had under consideration Senate Committee on Judiciary Amendments dated January 31, 1979, that the House accede to amendment numbers 1 and 2.

And that the Conference Committee Report on House Bill No. 75 be adopted.

FOR THE HOUSE:	FOR THE SENATE:
KANDUCH	TURNAGE
KEMMIS	ANDERSON
FABREGA	TOWE

MESSAGES FROM THE GOVERNOR

The Honorable Harold Gerke 2/14/79
Speaker
Montana State House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Gerke:

This is to inform you that the following measures were signed this date.

House Bill Nos. 4, 55, 65, 96, 120, 134, 165 and 170.

Sincerely,

Thomas L. Judge
Governor

MOTIONS

Fabrega moved that the House reconsider its action taken this day on HB 484 on Third Reading. Discussion followed. Motion carried. (55-43)

Committee announcements were made at this time.

MOTIONS

Dussault moved that SB 106 be rereferred from the Committee on Local Government to the Committee on Judiciary. Motion carried.

Kessler moved that HB 106 be taken from Second Reading and referred to the Committee on Taxation. Motion carried.

Dussault moved that the House adjourn until 2:30 p.m., February 15, 1979.

Motion carried.

House adjourned at 7:25 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

THIRTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
February 15, 1979

House Chambers
Capitol Building

House convened at 2:31 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Thirty-third Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/15/79

Delivered to the Governor for his approval at 2:00 p.m., 2/15/79 - HB 22, HB 218.

Correctly printed - HB 46, HB 61, HB 118, HB 181, HB 235, HB 278, HB 296, HB 318, HB 349, HB 380, HB 381, HB 473, HB 486, HB 500, HB 502, HB 526, HB 618.

Correctly engrossed - HB 452.

Considered correctly engrossed - HB 382, HB 456, HB 491, HB 513, HB 544, HB 599, HB 609, HB 611, HB 620, HB 650, HJR 3, HJR 17, HJR 21.

Will be signed by the Speaker on adjournment, 2/15/79 - SB 89, SB 147.

Signed by the Speaker on adjournment, 2/14/79 - HB 7, HB 27, HB 31, HB 59, HB 74, HB 97.

Dussault moved that all printing reports and Standing Committee Reports with a Do Pass recommendation be deemed read this day. Motion carried.

Do Pass

BUSINESS AND INDUSTRY (Quilici, Chairman): 2/15/79

HB 660, do pass. Report adopted.

HB 667, do pass. Report adopted.

HB 730, introduced bill, be amended as follows:

1. Title, line 6.
Following: "OF"
Strike: "10 TIMES"

2. Title, line 7.
Following: "THAN"
Strike: "10 TIMES"

3. Page 2, line 12.
Following: line 11
Strike: "10 times"

And as amended, do pass. Report adopted.

HB 734, introduced bill, be amended as follows:

1. Page 1, line 14.

Following: "~~$50,000~~"
Strike: "$175,000"
Insert: "$100,000"

And as amended, do pass. Report adopted.

HUMAN SERVICES (Holmes, Chairman): 2/15/79
HB 233, do pass. Report adopted.

STATEMENT OF INTENT RE: House Bill No. 233

A Statement of Intent is required for HB 233 because the bill amends sections 37-4-301, 37-4-402, and 37-4-404, MCA, to give the Board of Dentists rulemaking authority regarding examination and application procedures for dentists and dental hygienists. The following explains the intent of the Legislature regarding the rulemaking authority granted by this bill.

Sections 37-4-301 and 37-4-402 give the Board of Dentists the right to administer their own exams for dentists and hygienists, respectively. The rulemaking authority delegates power to the Board for making rules for running its own examinations. This is intended to be a continuation of existing authority, and rules now in effect may not have to be substantially revised.

In addition, section 37-4-301 gives the Board power to set the examination and licensure fees for dentists. These are to be "commensurate with cost" and it is intended that the Board publish data on the actual costs of examination in the notice of proposed rulemaking.

Sections 37-4-301 and 37-4-402, MCA, give the Board of Dentists the authority to make rules for application procedures for dentists and hygienists, respectively. It is intended that these rules would cover routine matters not provided for in the statute.

Sections 37-4-307 and 37-4-406, MCA, require licensed dentists and hygienists, respectively, to pay an annual renewal fee that is set by the Board. It is intended that these fees, as established through administrative rules, should not exceed during the next biennium, $20 to $25 for dentists and $10 for the hygienists. These fees, as required by statute, are for the purpose of maintaining an emergency fund that is used for administering and enforcing the statutes relating to dentistry and dental hygiene. If, during the next biennium, some unforeseen, complex legal proceeding arises involving the Board, the fees intended for this biennium would be increased to defray such additional costs.

/s/Holmes

HB 585, introduced bill, be amended as follows:

1. Page 3, line 17.
Following: "physical"
Strike: "infirmity"

And as amended, do pass. Report adopted.

STATEMENT OF INTENT RE: House Bill No. 585

A Statement of Intent is required for this bill because it grants rulemaking authority to the Board of Dentists for the purpose of defining unprofessional conduct.

Section 1 of the bill deletes a fairly specific list of types of unprofessional conduct by a dentist and allows the Board of Dentists to adopt a rule defining unprofessional conduct. It is the Legislature's intent that the Board's rule would reinstate some of the statutory examples, but would not adopt the present law's ban on advertising. The Board may prohibit only so much advertising as the courts would let a state prohibit. This is

intended to comply with court orders issued at the behest of the FTC in Louisiana and other states.

Sections 1 and 3 also set up a range of sanctions that the Board may impose on any dentist or dental hygienist whose conduct constitutes grounds for sanctions. This is intended to expand the Board's powers on the less stringent end of the scale, by adding censure and probation to the revocation and suspension powers the Board now has. Often a problem can be corrected with such milder sanctions when efforts to suspend or revoke might be counterproductive.

/s/Holmes

LOCAL GOVERNMENT (H. Robbins, Chairman): 2/15/79
HB 392, introduced bill, be amended as follows:

1. Page 1, line 12.
Strike: "county municipal"
Insert: "local"

2. Page 1, line 20.
Strike: "county municipalities"
Insert: "local governments"

3. Page 1, line 22.
Strike: "county municipalities"
Insert: "local governments"

And as amended, do pass. Report adopted.

HB 399, do pass. Report adopted.
HB 439, do pass. Report adopted.
HB 488, do pass. Report adopted.

TAXATION (Huennekens, Chairman): 2/15/79
HB 499, do pass. Report adopted.

Adverse Committee Reports

BUSINESS AND INDUSTRY (Quilici, Chairman): 2/15/79
HB 658, do not pass.
HB 723, do not pass.

On motion by Williams, the Adverse Committee Report on HB 333 was adopted by the following vote: (51-45)

Ayes: Baeth, Bardanouve, Bengtson, Bennett, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kemmis, Lien, Lory, McBride, Magone, Manning, Menahan, Metcalf, Oberg, O'Connell, Pavlovich, Porter, Quilici, Reichert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Williams, Yardley, Mr. Speaker.
Total 51

Noes: Anderson, Bertelsen, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hayne, Hirsch, Iverson, Jensen, Johnson, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lund, Manuel, Marks, Meyer, Moore, Nathe, Nordtvedt, Pistoria, Ramirez, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Stobie, Tropila, Uhde, Underdal, Vincent, Vinger, Wood, Wyrick.
Total 45

Excused: None.

Total 0

Absent or not voting: Azzara, Hemstad, H. Robbins, Waldron.
Total 4

On motion by Williams, the Adverse Committee Report on HB 564 was adopted by the following vote: (75-19)

Ayes: Baeth, Bardanouve, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Marks, Meyer, Moore, Nathe, Nordtvedt, Pavlovich, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vinger, Williams, Wood, Mr. Speaker.
Total 75

Noes: Anderson, Bengtson, Daily, Dozier, Dussault, Frates, Gesek, Huennekens, Johnson, Manuel, Menahan, Metcalf, Oberg, O'Connell, Pistoria, H. Robbins, Teague, Vincent, Yardley.
Total 19

Excused: None.
Total 0

Absent or not voting: Azzara, Ellerd, Hemstad, Sales, Waldron, Wyrick.
Total 6

On motion by Quilici, the Adverse Committee Report on HB 595 was adopted by the following vote: (65-32)

Ayes: Anderson, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Harrington, Hirsch, Holmes, Jensen, Johnson, Johnston, Kanduch, Kemmis, Keyser, Kropp, Lory, Lund, McBride, Magone, Manning, Marks, Meyer, Moore, Nathe, Oberg, Pavlovich, Pistoria, Porter, Quilici, Ramirez, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Staigmiller, Underdal, Vincent, Vinger, Williams, Wood, Yardley.
Total 65

Noes: Bengtson, Burnett, Cooney, Ellis, Ellison, Hand, Harper, Hayne, Huennekens, Hurwitz, Iverson, Keedy, Kessler, Kvaalen, Lien, Manuel, Menahan, Metcalf, Nordtvedt, O'Connell, Reichert, H. Robbins, Scully, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Wyrick, Mr. Speaker.
Total 32

Excused: None.
Total 0

Absent or not voting: Azzara, Hemstad, Waldron.
Total 3

On motion by Williams, the Adverse Committee Report on HJR 25 was adopted by the following vote: (89-7)

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg,

Feda, Frates, Gesek, Gilligan, Hand, Harper, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Daily, Gould, Harrington, Menahan, Pistoria, H. Robbins, Teague.
Total 7

Excused: None.
Total 0

Absent or not voting: Azzara, Hemstad, Waldron, Williams.
Total 4

MESSAGES FROM THE OTHER HOUSE

House Bills concurred in and returned to the House: 2/14/79

House Bill No. 66, introduced by Cooney

House Bill No. 183, introduced by Marks

House Bill concurred in as amended and returned to the House for concurrence in Senate Amendments: 2/14/79

House Bill No. 69, introduced by Lien

Senate Bill passed on Third Reading Consent Calendar and transmitted to the House for concurrence: 2/14/79

Senate Bill No. 289, introduced by Graham

Senate Bills and Senate Joint Resolution passed and transmitted to the House for concurrence: 2/14/79

Senate Bill No. 291, introduced by Lensink

Senate Bill No. 304, introduced by Turnage

Senate Joint Resolution No. 9, introduced by Rasmussen, Story, Towe

Senate Bills passed as amended and transmitted to the House for concurrence: 2/14/79

Senate Bill No. 65, introduced by Lensink, Regan

Senate Bill No. 335, introduced by Lockrem

MOTIONS

Fagg moved that the House reconsider its action taken on the Thirty-seventh Legislative Day on Third Reading on HB 274. Motion carried. (50-47)

Gould moved that HB 463 be taken from Third Reading and put on Second Reading on the Thirty-ninth Legislative Day. Motion carried. (93-0)

Moore moved that HB 632 be passed until the Forty-first Legislative Day. Motion carried. (79-12)

Ramirez moved that HB 631 be taken off Second Reading and referred to the Committee on Taxation. Motion carried. (87-5)

Dussault moved that the rules be temporarily suspended to allow bills this day reported out of committee without amendment to be placed on Second Reading for the Thirty-ninth Legislative Day without being reprinted. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 2, introduced by Vincent, Kessler, Waldron, Uhde, Dussault, Gesek, Palmer, Kemmis, Huennekens. Referred to Committee on Natural Resources.

HB 819, introduced by Gould, Roth, Iverson, Waldron. Referred to Committee on Highways and Transportation.

HB 820, introduced by Pistoria. Referred to Committee on Judiciary.

HB 821, introduced by McBride, Cooney, Harrington, Baeth, Manning, Brand, Johnston, Hemstad, Quilici, Magone, Daily. Referred to Committee on Taxation.

HB 822, introduced by Porter, Menahan, Daily, Meyer, Teague, Frates, O'Connell. Referred to Committee on Business and Industry.

HB 823, introduced by Fagg. Referred to Committee on Natural Resources.

HB 824, introduced by Day, Bengtson, Nathe, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Appropriations.

HB 825, introduced by Lund, Ramirez, Nathe, Roth, Hurwitz, Burnett. Referred to Committee on Human Services.

HB 826, introduced by Lien, Dover, Olson, Hafferman, Sales, Hurwitz, Peterson, Oberg, H. Robbins. Referred to Committee on State Administration.

HB 827, introduced by Ellis, Lory. Referred to Committee on State Administration.

HB 828, introduced by Scully. Referred to Committee on Appropriations.

HB 829, introduced by Bardanouve. Referred to Committee on Natural Resources.

HB 830, introduced by Burnett, Johnston, Scully, Kropp, Keyser, Lien, Marks, Thoft, Iverson, Hurwitz, Roth, Severson, Wyrick, Donaldson, Schultz, Ernst. Referred to Committee on Taxation.

HB 831, introduced by Burnett. Referred to Committee on Local Government.

HB 832, introduced by Harper, Metcalf, Vincent, Johnson. Referred to Committee on Business and Industry.

HJR 44, introduced by Tropila, Gerke, Moore, Fabrega. Referred to Committee on Taxation.

The following Senate bills were introduced, read first time and referred to committees:

SB 65, introduced by Lensink, Regan, (By Request of the Interim Subcommittee on State Legal Services and Election Laws). Referred to Committee on Judiciary.

SB 289, introduced by Graham, (By Request of the Department of Revenue). Referred to Committee on State Administration.

SB 291, introduced by Lensink, (By Request of the Secretary of State and the Attorney General). Referred to Committee on Judiciary.

SB 304, introduced by Turnage. Referred to Committee on Highways and Transportation.
SB 335, introduced by Lockrem, (By Request of the Code Commissioner). Referred to Committee on Local Government.
SJR 9, introduced by Rasmussen, Story, Towe. Referred to Committee on State Administration.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 484 was passed by the following vote:

Ayes: Anderson, Bennett, Bertelsen, Conroy, Curtiss, Donaldson, Ellerd, Ellis, Ellison, Ernst, Fabrega, Feda, Gould, Hand, Hayne, Hemstad, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Lund, Magone, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Pistoria, Porter, Ramirez, Schultz, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Thoft, Tropila, Underdal, Vinger, Wood, Wyrick.
Total 49

Noes: Azzara, Baeth, Bardanouve, Bengtson, Brand, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Frates, Gesek, Gilligan, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnson, Kemmis, Kessler, Lien, Lory, McBride, Manning, Manuel, Oberg, O'Connell, Pavlovich, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Scully, Shelden, South, Teague, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 46

Excused: None.
Total 0

Absent or not voting: Burnett, Eudaily, Fagg, Keedy, Sales.
Total 5

House Bill No. 63 was passed by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bertelsen, Cooney, Curtiss, Daily, Dassinger, Dozier, Dussault, Ellis, Ernst, Fabrega, Feda, Frates, Gilligan, Gould, Harper, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Johnston, Kanduch, Kemmis, Kessler, Lien, Lory, McBride, Magone, Manuel, Metcalf, Meyer, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, H. Robbins, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Underdal, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 57

Noes: Anderson, Bengtson, Bennett, Brand, Burnett, Conroy, Day, Ellison, Eudaily, Gesek, Hand, Hayne, Hurwitz, Jensen, Johnson, Keyser, Kropp, Kvaalen, Lund, Manning, Marks, Menahan, Moore, Nathe, K. Robbins, Rosenthal, Roth, Smith, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Vinger, Wyrick.
Total 36

Excused: None.
Total 0

Absent or not voting: Donaldson, Ellerd, Fagg, Harrington, Keedy, Quilici, Reichert.
Total 7

House Bill No. 166 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: Curtiss, Smith.
Total 2

Excused: None.
Total 0

Absent or not voting: Ellerd, Fagg, Lory.
Total 3

House Bill No. 209 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Ellerd.
Total 1

House Bill No. 220 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bertelsen, Burnett, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden,

Sivertsen, Smith, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Bardanouve, Bennett, Brand, Cooney, Menahan, Moore, Sales, Staigmiller.
Total 8

Excused: None.
Total 0

Absent or not voting: Ellerd.
Total 1

House Bill No. 276 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, McBride, Magone, Manuel, Marks, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: Brand, Manning, Menahan, O'Connell, Teague.
Total 5

Excused: None.
Total 0

Absent or not voting: Lien.
Total 1

House Bill No. 466 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: Frates, Vincent.
Total 2

Excused: None.
Total 0

Absent or not voting: Harrington.

Total 1

House Bill No. 498 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Ellison, Keedy, Wood.
Total 3

House Bill No. 505 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

House Bill No. 539 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell,

Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: Lory.
Total 1

Excused: None.
Total 0

Absent or not voting: Shelden, Waldron.
Total 2

House Bill No. 548 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Seifert, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: Nathe, Roth, Smith.
Total 3

Excused: None.
Total 0

Absent or not voting: Pistoria, Shelden.
Total 2

House Bill No. 549 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Shelden.
Total 1

House Bill No. 566 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellison, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hemstad, Holmes, Huennekens, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Lien, McBride, Magone, Manning, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Scully, Sivertsen, South, Spilker, Teague, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 65

Noes: Bennett, Burnett, Conroy, Curtiss, Ellerd, Ellis, Ernst, Eudaily, Feda, Harper, Hayne, Hirsch, Hurwitz, Iverson, Kropp, Kvaalen, Lory, Lund, Manuel, Marks, Porter, Ramirez, Roth, Sales, Schultz, Seifert, Smith, Staigmiller, Stobie, Underdal, Vinger, Wood, Wyrick.
Total 33

Excused: None.
Total 0

Absent or not voting: Keedy, Shelden.
Total 2

House Bill No. 569 was passed by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Daily, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Gesek, Gilligan, Gould, Hand, Hayne, Hemstad, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.
Total 73

Noes: Azzara, Bardanouve, Brand, Cooney, Dassinger, Dussault, Frates, Harper, Harrington, Hirsch, Holmes, Johnson, Kemmis, Kessler, McBride, Menahan, Metcalf, Oberg, Reichert, South, Uhde, Waldron, Yardley.
Total 23

Excused: None.
Total 0

Absent or not voting: Day, Feda, Shelden, Smith.
Total 4

House Bill No. 580 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal,

Roth, Sales, Schultz, Scully, Seifert, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Day, Hayne, Smith, Stobie, Vinger, Waldron.
Total 6

Excused: None.
Total 0

Absent or not voting: O'Connell, Shelden.
Total 2

House Bill No. 602 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Curtiss, Daily, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.
Total 87

Noes: Cooney, Dassinger, Dussault, Holmes, Kemmis, McBride, Metcalf, Oberg, Stobie, Uhde, Waldron, Yardley.
Total 12

Excused: None.
Total 0

Absent or not voting: Shelden.
Total 1

House Bill No. 603 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Curtiss, Daily, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 82

Noes: Azzara, Cooney, Dassinger, Dussault, Harper, Huennekens, Kemmis, McBride, Magone, Metcalf, Nathe, Oberg, Ramirez, Reichert, South, Vincent, Waldron.
Total 17

Excused: None.
Total 0

Absent or not voting: Shelden.
Total 1

House Joint Resolution No. 19 was passed by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Cooney, Daily, Dassinger, Dozier, Dussault, Eudaily, Fabrega, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Lund, McBride, Magone, Manning, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, South, Teague, Thoft, Tropila, Underdal, Vincent, Williams, Yardley, Mr. Speaker.
Total 59

Noes: Bennett, Burnett, Conroy, Curtiss, Day, Donaldson, Ellerd, Ellis, Ellison, Ernst, Fagg, Feda, Hayne, Hirsch, Hurwitz, Keyser, Kropp, Kvaalen, Lien, Lory, Manuel, Marks, Nordtvedt, Porter, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Uhde, Vinger, Wood, Wyrick.
Total 38

Excused: None.
Total 0

Absent or not voting: Anderson, Shelden, Waldron.
Total 3

REPORTS OF STANDING COMMITTEES

Do Pass

FISH AND GAME (Staigmiller, Chairman): 2/15/79
HB 663, do pass. Report adopted.
HJR 22, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Williams, Chairman): 2/15/79
HB 642, do pass. Report adopted.
HB 671, do pass. Report adopted.

Adverse Committee Reports

LABOR AND EMPLOYMENT RELATIONS (Williams, Chairman): 2/15/79
HB 527, do not pass.

On motion by Scully, the Adverse Committee Report on HB 641 was adopted by the following vote: (72-20)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Curtiss, Daily, Dassinger, Day, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, O'Connell, Pavlovich, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Spilker, Staigmiller, Stobie, Thoft, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.
Total 72

Noes: Brand, Cooney, Dozier, Dussault, Fabrega, Frates, Harper, Harrington, Johnson, McBride, Moore, Oberg, Pistoria, Reichert, Smith, Teague, Tropila, Uhde, Vincent, Yardley.
Total 20

Excused: None.

Total 0

Absent or not voting: Bennett, Burnett, Conroy, Keyser, Manuel, Shelden, South, Waldron.
Total 8

MOTIONS

Quilici moved that he be allowed to change his vote on HB 484 on Third Reading this day from yea to nay. Motion carried unanimously. (86-0)

Metcalf moved that he be allowed to change his vote on HB 484 on Third Reading this day from yea to nay. Motion failed. (77-7, vote must be unanimous).

Dussault moved that HB 801 be rereferred from the Committee on Local Government to the Committee on Judiciary. Motion carried.

Curtiss moved that HB 746 be rereferred from the Committee on Natural Resources to the Committee on Judiciary. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Scully in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 135, second reading copy, be amended as follows: (65-12)

1. Title, lines 7 and 8.
Following: "YEARS;"
Strike: "REVISING THE FORMULA FOR CALCULATING THE EARLY RETIREMENT ALLOWANCE;"

2. Page 1, line 22.
Following: "~~½~~"
Strike: "¼"
Insert: "½"

And as amended, do pass. Motion failed. (15-80)

That HB 135, as amended, do not pass. (82-5)

That Committee of the Whole Amendment, dated 2/12/79, on House Bill No. 190, second reading copy, be amended as follows: (81-0)

1. Amendment 2.
Strike: amendment 2 in its entirety

And as amended, do pass. (92-0)

Day moved that HB 431 be placed at the bottom of the board. Motion carried.

That HB 551 do pass. (79-8)

Kvaalen moved that HB 695 pass consideration for the day. Motion carried.

That HB 264 do pass. (82-3)

Cooney moved that HB 272 be placed below HB 422 on the board. Motion carried.

That HB 313 do pass. (75-13)

That HB 422 do pass. (92-0)

That HB 272 do not pass. (54-43)

That HB 522 do pass. Motion failed. (35-53)

That HB 522 do not pass. (55-35)

That HB 531 do pass. (80-4)

Dussault moved that HB 568 be placed at the bottom of the board. Motion carried.

That HB 572 do pass. (67-21)

Yardley moved that HB 594 be placed on the bottom of the board. Motion carried.

That HB 597 do pass. (86-1)

That HB 605, introduced bill, be amended as follows: (79-0)

1. Page 4, line 13.
Following: "geothermally"
Strike: "delivered"
Insert: "derived"

And as amended, do pass. (64-22)

That HB 608 do pass. (83-3)

That HB 654 do pass. (52-34)

That HB 666 do pass. (84-1)

That HB 668 do pass. (80-0)

Keedy moved that HB 673 pass consideration for the day. Motion carried.

That HB 676 do pass. (87-2)

That HB 709 do pass. (87-0)

That HB 738 do pass. (82-5)

That HB 739 do pass. (88-0)

That HJR 24 do pass. (56-34)

That HJR 26 do pass. (80-10)

Kemmis replaced Scully in the Chair.

That HJR 31 do pass. (91-0)

That HB 431, second reading copy, be amended as follows: (83-3)

1. Title, line 7.
Following: line 6
Strike: "CERTAIN"
Following: "WELLS"

Strike: "; TO MODIFY THE"
Insert: "IN CONTROLLED GROUNDWATER AREAS AND PROPOSED GROUNDWATER AREAS AND WELLS WITH A MAXIMUM YIELD OF 100 GALLONS PER MINUTE OUTSIDE SUCH AREAS; AND"

2. Title, line 8.
Following: line 7
Strike: "EXCEPTIONS TO PERMIT REQUIREMENTS;"
Following: "AMENDING"
Strike: "SECTIONS 85-2-306 AND 85-2-502"
Insert: "SECTION 85-2-113"

3. Page 1, line 12 through line 14 on page 3.
Following: line 11
Strike: remainder of the bill in its entirety
Insert: "SECTION 1. SECTION 85-2-113, MCA, IS AMENDED TO READ:

'85-2-113. Board powers and duties. (1) The board may prescribe fees or service charges for any public service rendered by the department under this chapter, including fees for the filing of applications or for the issuance of permits and certificates. There shall be no fees for the filing of declarations or for the issuance of certificates of existing rights.

(2) The board may adopt rules necessary to implement and carry out the purposes and provisions of this chapter. These rules may include but are not limited to rules to:

(a) govern the issuance and terms of interim permits authorizing an applicant for a regular permit under this chapter to begin appropriating water immediately, pending final approval or denial by the department of the application for a regular permit;

(b) require the owner or operator of appropriation facilities to install and maintain suitable controlling and measuring devices, except that the board may not require a meter on a water well outside of a controlled groundwater area or proposed controlled groundwater area unless the maximum yield of the well is in excess of 100 gallons a minute;

(c) require the owner or operator of appropriation facilities to report to the department the readings of measuring devices at reasonable intervals and to file reports on appropriations; and

(d) regulate the construction, use, and sealing of wells to prevent the waste, contamination, or pollution of groundwater.

(3) The board shall adopt rules providing for and governing temporary emergency appropriations, without prior application for a permit, necessary to protect lives or property.'"

And as amended, do pass. (87-7)

That HB 568, second reading copy, be amended as follows: (86-1)

1. Page 5, line 22.
Following: "vehicle"
Insert: "in 1982 and thereafter"

And as amended, do pass. (50-43)

That HB 594 do pass. (89-0)

That CC on SA to HB 75 be adopted. (52-39)

That the Committee rise and report. (Kemmis, Chairman). Kemmis moved that the Committee of the Whole Report be deemed read. Motion carried. Kemmis moved adoption of the Committee of the Whole Report. Harper made a substitute motion that HB 654 be segregated from the Committee of the Whole Report, and that the report as amended be adopted. Motion carried. (74-14)

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/15/79

Correctly enrolled - HB 8, HB 28, HB 29, HB 42, HB 168.

Examined by the Sponsor and found to be correct - HB 8, HB 28, HB 29, HB 42, HB 168.

Will be signed by the Speaker on adjournment, 2/15/79 - HB 8, HB 28, HB 29, HB 42, HB 168.

Correctly printed - HB 219.

Do Pass

AGRICULTURE, LIVESTOCK AND IRRIGATION (Day, Chairman): 2/14/79

HB 406, introduced bill, be amended as follows:

1. Page 4, line 2.
Following: "to"
Insert: ":
(a)"

2. Page 4, line 5.
Following: "use"
Insert: "of which there is a reasonable likelihood, if the use or uses do not present any actual or probable threat of water diminution or pollution, and if the permit applicant's proposed land use following reclamation is not deemed to be impractical, unreasonable, or inconsistent with applicable land use policies and plans, would not involve unreasonable delay in the implementation, and would not violate federal, state, or local law; and

(b) prevent soil erosion to the extent achieved prior to mining"

3. Page 4, line 13.
Following: "~~of:~~"
Insert: "prepare the soil and plant such legumes, grasses, shrubs, and trees as are necessary to"

And as amended, do pass. Report adopted.

HB 521, introduced bill, be amended as follows:

1. Page 4, line 5.
Following: "~~$25~~"
Strike: "$500"
Insert: "$250"

2. Page 4, line 15.
Following: "~~$50~~"
Strike: "$500"
Insert: "$250"

3. Page 4, line 25.

Following: "more than"
Strike: "$1,000"
Insert: "$500"

4. Page 5, line 13.
Following: line 12
Strike: "$500"
Insert: "$250"
Following: "than"
Strike: "$1,000"
Insert: "$500"

And as amended, do pass. Report adopted.

HB 577, introduced bill, be amended as follows:

1. Title, lines 7 and 8.
Strike: lines 7 and 8 in their entirety

2. Page 2, lines 12 and 13.
Following: "receive"
Insert: "25 cents per head for 12 head or less, or $3 for 12 head to 20 head and"

3. Page 2, line 14.
Following: "head"
Insert: "for each head over 20 head"

And as amended, do pass. Report adopted.

HB 589, introduced bill, be amended as follows:

1. Page 8, line 7.
Following: "~~$10~~"
Strike: "$30"
Insert: "$15"

And as amended, do pass. Report adopted.

HB 590, introduced bill, be amended as follows: 2/15/79

1. Title, line 6.
Following: "REGISTRATION"
Insert: "AND INSPECTION"

2. Title, line 8.
Following: "80-6-105,"
Insert: "80-6-202,"

3. Page 4, line 4.
Following: "only; and"
Strike: "$15"
Insert: "$30"

4. Page 4.
Following: line 7
Insert: "SECTION 4. SECTION 80-6-202, MCA, IS AMENDED TO READ:

'80-6-202. Inspection of bees or used beekeeping equipment transported interstate. (1) A person may not transport or bring into the state any used beekeeping equipment or containers, including honey to be extracted, unless it is certified and duly marked as disease-free by an official responsible for apiary regulations of the state from

which it is being moved. The department shall be advised in advance of the date of entry and the destination of the material. Used equipment transported into the state may be quarantined by the department, in accordance with 80-6-201(1)(c), from the time it enters the state until it has been in use while under quarantine for a minimum of 90 days and at least until the following July 1. The beekeeping materials are also subject to quarantine as provided in this section. The department may also inspect and certify as disease-free bees or beekeeping equipment which is to be transported from Montana to a state which requires an inspection in the state of origin.

(2) The costs of making the inspections provided for in subsection (1) shall be paid in advance by the owner of the bees or equipment and shall include a per diem ~~of $10~~ pursuant to Title 2, chapter 18, part 5, necessary traveling expenses, and a fee of ~~$5~~ $20 for the issuance of a certificate of health. If inspection by an official of any other state is considered insufficient for the protection of the Montana bee industry by the department, the department shall so state by public statement. Importation of beekeeping materials, including honey for extracting, from that other state shall be denied unless the materials or honey are first inspected by the department and there is obtained from it a certificate of inspection showing that the materials or honey are apparently free from contagious or infectious disease. The costs of making the inspection shall be paid by the person requesting it, and inspection may be made at any point outside this state convenient to the person making the inspection. The department may require that the costs of making the inspection be paid in advance, and the costs shall include per diem ~~of $10~~ pursuant to Title 2, chapter 18, part 5, necessary traveling expenses, and a fee of ~~$5~~ $20 for the issuance of the certificate of inspection.'"

And as amended, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Gilligan, Chairman): 2/15/79

HB 459, do pass. Report adopted.
HB 485, do pass. Report adopted.
HB 516, do pass. Report adopted.
HJR 32, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Baeth, Chairman): 2/15/79

HB 704, do pass. Report adopted.
HB 708, introduced bill, be amended as follows:

1. Page 1, line 22.
Strike: "director of insurance"
Insert: "division of motor vehicles"

2. Page 2, line 14.
Following: "certify"
Insert: "to the county treasurer"

And as amended, do pass. Report adopted.

JUDICIARY (Scully, Chairman): 2/15/79

HB 693, do pass. Report adopted.
HB 697, do pass. Report adopted.
HB 699, do pass. Report adopted.
HB 701, introduced bill, be amended as follows:

1. Page 1, line 16.

Following: "(a)"
Strike: "$5"
Insert: "$10"

2. Page 1, line 17.
Following: "to"
Strike: "5"
Insert: "10"

3. Page 1, line 19.
Following: "(b)"
Strike: "$15"
Insert: "$20"
Following: "than"
Strike: "5"
Insert: "10"

4. Page 1, line 20.
Following: "to"
Strike: "10"
Insert: "20"

5. Page 1, line 22.
Following: "(c)"
Strike: "$25"
Insert: "$40"
Following: "than"
Strike: "10"
Insert: "20"

And as amended, do pass. Report adopted.

HB 705, introduced bill, be amended as follows:

1. Page 1, line 13.
Following: "state"
Strike: "or subcommittees thereof"

2. Page 2.
Following: line 4
Insert: "(4) Any committee or subcommittee appointed by a public body for the purpose of conducting business which is within the jurisdiction of that agency shall be subject to the requirements of this section."

And as amended, do pass. Report adopted.

NATURAL RESOURCES (Shelden, Chairman): 2/15/79
HB 373, introduced bill, be amended as follows:

1. Title, lines 5, 6, and 7.
Following: "RANCHERS"
Strike: "IN THE SAME MANNER THAT SUCH LOANS ARE PROVIDED TO STATE AND LOCAL GOVERNMENTAL ENTITIES"
Insert: "FOR WATERWORKS SYSTEMS"

2. Page 1, lines 20 and 21.
Following: "state"
Strike: ", or to any farmer or rancher who meets the requirements of subsection (2)"

3. Page 1, line 22.

Following: "issued"
Insert: "by the board"

4. Page 2, line 6.
Strike: "owner-operators"
Insert: "owners or operators"

5. Page 2.
Following: line 7
Insert: "(3) Loans issued by the board to any farmer or rancher under subsection (2) must be for the development, construction, or operation of waterworks systems for the conservation, development, storage, distribution, and utilization of water."
Renumber: subsequent subsections

6. Page 3, lines 1 and 2.
Strike: "department may recommend"
Insert: "board shall make"

7. Page 3, line 12.
Following: "rate"
Strike: "at which"
Insert: "and criteria for"
Following: "loans"
Strike: "may be"

8. Page 3, line 18.
Strike: "recommending"
Insert: "making"

9. Page 4, line 17.
Following: "~~board~~"
Insert: "board and"

And as amended, do pass. Report adopted.

STATEMENT OF INTENT RE: House Bill No. 373

Because HB 373 directs the Department of Natural Resources and Conservation to adopt rules establishing the criteria under which renewable resources development loans to farmers and ranchers will be issued by the Board of Natural Resources and Conservation, the House Committee on Natural Resources issues this Statement of Intent for the purposes of clarifying that authority.

HB 373, as introduced, would have provided for the issuance of loans to farmers and ranchers in the same manner as are renewable resource development loans, that is by recommendation of the governor and approval by the legislature. This committee does not consider the issuance of loans to private persons by the legislature to be proper and instead has amended the bill to provide for loans to be issued by the board under criteria adopted by rules by the department.

The Montana Supreme Court, in Karen M. Douglas vs. Thomas L. Judge, et. al., 34 State Reporter 975, struck down sections 90-2-105 and 90-2-106, MCA, as being unconstitutional grants of legislative authority to the board without sufficient guidelines as to the delineation of projects eligible. HB 373 repeals those sections and corrects the deficiencies enumerated by the court by:

(1) restricting and clearly defining waterworks projects eligible in subsection (3) of 90-2-107, MCA;

(2) directing the department to further establish by rule the parameters, based on these guidelines, which define a project eligible for the loans to farmers and ranchers; and

(3) directing the department to develop strict criteria for the issuance of loans by the board.

The legislature does not have the desire nor is it fitting, to inquire into the private affairs of individual farmers and ranchers. This duty lies with the board under rule adopted by the department. It is the intent of the legislature to overcome the unconstitutionality of the original renewable resource development program by the provisions of this bill.

/s/Shelden

TAXATION (Huennekens, Chairman): 2/15/79
HB 543, do pass. Report adopted.

Adverse Committee Reports

AGRICULTURE, LIVESTOCK AND IRRIGATION (Day, Chairman): 2/14/79
HB 101, do not pass.

EDUCATION AND CULTURAL RESOURCES (Gilligan, Chairman): 2/15/79
HB 236, do not pass.
HB 239, do not pass.
HB 240, do not pass.
HB 265, do not pass.
HB 450, do not pass.
HB 525, do not pass.

HIGHWAYS AND TRANSPORTATION (Baeth, Chairman): 2/15/79
HB 685, do not pass.

JUDICIARY (Scully, Chairman): 2/15/79
HB 560, introduced bill, be amended as follows:

1. Title, line 5.
Following: "INSURANCE;"
Strike: "AND"

2. Title, line 6.
Following: "MCA"
Insert: "; AND PROVIDING AN EFFECTIVE DATE"

3. Page 5, line 25.
Following: "(a)"
Strike: "80%"
Insert: "100%"

4. Page 6, line 9.
Following: "(b)"
Strike: "80%"
Insert: "100%"

5. Page 6, line 13.
Following: line 12
Strike: "60%"
Insert: "75%"

6. Page 8, lines 17 and 18.
Following: "is"
Strike: "nolle prossed or"

7. Page 9, lines 15 and 16.
Following: "law"

Strike: "or medicaid as provided under 42 U.S.C. 1396"
Insert: ", the United States Social Security Act, or any health, sickness, or income disability insurance"

8. Page 13, line 13.
Following: "made,"
Insert: "where the request is accompanied by the written consent of the insured,"

9. Page 17, line 3.
Following: "are"
Strike: "payable"
Insert: "paid"

10. Page 17, line 18.
Following: "and"
Strike: "inconvenience"
Insert: "loss of established course of life"

11. Page 25, lines 2 and 3.
Following: "hazard"
Strike: "and are subject to the approval of the department of insurance"

12. Page 25, line 6.
Following: "$2,000,"
Insert: "and"

13. Page 25, line 7.
Following: "$3,000,"
Strike: "$4,000, $6,000, and $8,000,"

14. Page 27, line 21.
Following: "January 1,"
Strike: "1980"
Insert: "1982"

15. Page 32.
Following: line 4
Insert: "Section 24. Effective date. This act is effective on January 1, 1981."

And as amended, do not pass.

HB 678, do not pass.

TAXATION (Huennekens, Chairman): 2/15/79
HB 523, do not pass.

Keedy, Pistoria, Fabrega, Moore, Conroy, Teague, Curtiss, Pavlovich, Roth, Daily objected that HB 678 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

On motion by Brand, the Adverse Committee Report on HB 538 was adopted by the following vote: (75-17)

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gould, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Nathe,

Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Rosenthal, Sales, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 75

Noes: Brand, Burnett, Conroy, Curtiss, Fabrega, Gilligan, Hayne, Hemstad, Johnston, Keedy, Meyer, Moore, Nordtvedt, Pistoria, Reichert, Schultz, Uhde.
Total 17

Excused: None.
Total 0

Absent or not voting: Azzara, Ellerd, Hurwitz, Lien, Roth, Teague, Tropila, Vinger.
Total 8

On motion by Brand, the Adverse Committee Report on HB 533 was adopted by the following vote: (58-29)

Ayes: Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Burnett, Conroy, Daily, Day, Donaldson, Dozier, Ellis, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harrington, Hirsch, Huennekens, Iverson, Jensen, Johnston, Kanduch, Kemmis, Kropp, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Thoft, Underdal, Waldron, Williams, Yardley, Mr. Speaker.
Total 58

Noes: Anderson, Cooney, Curtiss, Dassinger, Dussault, Ellison, Fabrega, Gould, Harper, Hayne, Hemstad, Holmes, Johnson, Keedy, Keyser, Kvaalen, McBride, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, Sales, Sivertsen, Stobie, Uhde, Vincent, Wyrick.
Total 29

Excused: None.
Total 0

Absent or not voting: Azzara, Bennett, Ellerd, Hurwitz, Kessler, Lien, Pistoria, Roth, Scully, Teague, Tropila, Vinger, Wood.
Total 13

On motion by Brand, the Adverse Committee Report on HB 536 was adopted by the following vote: (72-19)

Ayes: Baeth, Bardanouve, Bengtson, Bennett, Brand, Conroy, Cooney, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Lory, Lund, McBride, Magone, Manning, Marks, Menahan, Metcalf, Moore, Nathe, Oberg, O'Connell, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Scully, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 72

Noes: Anderson, Burnett, Curtiss, Daily, Fabrega, Hemstad, Keedy, Kropp, Kvaalen, Manuel, Meyer, Nordtvedt, Pavlovich, Sales, Seifert, Sivertsen, Uhde, Underdal, Wyrick.
Total 19

Excused: None.
Total 0

Absent or not voting: Azzara, Bertelsen, Ellerd, Hurwitz, Lien, Roth, Teague, Tropila, Vinger.
Total 9

On motion by Staigmiller, the Adverse Committee Report on HB 478 was adopted by the following vote: (71-21)

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Eudaily, Fagg, Feda, Frates, Gesek, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lory, Lund, Magone, Manning, Menahan, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Sales, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Uhde, Underdal, Vincent, Williams, Wood, Wyrick, Mr. Speaker.
Total 71

Noes: Conroy, Cooney, Curtiss, Ernst, Fabrega, Gilligan, Hemstad, Johnson, Keyser, McBride, Manuel, Marks, Metcalf, Meyer, Moore, Nathe, H. Robbins, Schultz, Seifert, Waldron, Yardley.
Total 21

Excused: None.
Total 0

Absent or not voting: Azzara, Ellerd, Hurwitz, Lien, Roth, Teague, Tropila, Vinger.
Total 8

MOTIONS

Dussault moved that HB 274 be taken from Third Reading and put on Second Reading for the Fortieth Legislative Day. Motion carried.

Seifert moved that HB 695 be taken from Second Reading and referred to the Committee on State Administration. Motion carried.

Vinger, Hurwitz, Roth, Teague, H. Robbins excused at this time.

Reichert moved that HB 484 be recalled from the Senate and that the House reconsider its action taken on HB 484 on Third Reading this day. Kvaalen moved that the motion to reconsider be laid on the table. Motion failed. (48-52) Lund then moved the previous question. Motion carried. (52-39) Whereupon, Reichert's motion failed. (50-50)

SPECIAL ORDERS OF THE DAY

Consent Calendar

Questions were asked on HB 652.

Dussault moved that the House adjourn until 2:30 p.m., February 16, 1979.

Motion carried.

House adjourned at 7:15 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

THIRTY-NINTH LEGISLATIVE DAY

Helena, Montana
February 16, 1979

House Chambers
Capitol Building

House convened at 2:29 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Holmes, Sivertsen, excused; Fagg, Frates, Shelden, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Thirty-fourth Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

Dussault moved that all printing reports and Standing Committee Reports with a do pass recommendation be deemed read this day. Motion carried.

BILLS (Metcalf, Chairman): 2/16/79

Will be signed by the Speaker on adjournment, 2/16/79 - SB 53, SB 125, SB 127.

Correctly printed - HB 237, HB 261, HB 326, HB 457, HB 598, HB 648.

Signed by the Speaker on adjournment, 2/15/79 - HB 8, HB 28, HB 29, HB 42, HB 168, SB 89, SB 147.

Delivered to the Governor for his approval at 1:55 p.m., 2/16/79 - HB 27, HB 59, HB 74.

Do Pass

LOCAL GOVERNMENT (H. Robbins, Chairman): 2/15/79
HB 554, do pass. Report adopted.

SELECT COMMITTEE ON EMPLOYEE COMPENSATION (South, Chairman): 2/16/79
HB 528, do pass. Report adopted.

Adverse Committee Reports

2/15/79

Yardley, Bardanouve, Moore, Reichert, Gilligan, Fabrega, Tropila, Marks, Uhde, Scully objected that HB 450 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

Menahan, Harrington, Vincent, Cooney, Yardley, Harper, Daily, Pavlovich, Brand, Manning objected that HB 658 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

2/16/79

Metcalf, Kessler, Harper, Spilker, Sales, Azzara, South, Donaldson, Marks, Reichert objected that HB 685 was reported out of committee with

a do not pass recommendation and requested that the bill be referred to Second Reading.

On motion by Quilici, the Adverse Committee Report on HB 723 was adopted by the following vote: (73-11)

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Seifert, Smith, South, Spilker, Staigmiller, Underdal, Vincent, Williams, Wood, Wyrick, Mr. Speaker.
Total 73

Noes: Brand, Burnett, Gilligan, Huennekens, Johnston, Stobie, Teague, Tropila, Uhde, Vinger, Waldron.
Total 11

Excused: Holmes, Sivertsen.
Total 2

Absent or not voting: Azzara, Curtiss, Ellerd, Fagg, Gesek, Hand, Menahan, Pavlovich, Pistoria, Sales, Scully, Shelden, Thoft, Yardley.
Total 14

Consent Calendar

Kemmis, Huennekens, Metcalf objected that HB 652 was reported out of committee with a unanimous Consent Calendar recommendation and requested that the bill be referred to Second Reading.

MESSAGES FROM THE OTHER HOUSE

Senate Bills and Senate Joint Resolutions passed and transmitted to the House for concurrence: 2/15/79

Senate Bill No. 86, introduced by Hazelbaker

Senate Bill No. 281, introduced by Hager, Hazelbaker

Senate Bill No. 341, introduced by Turnage, S. Brown

Senate Joint Resolution No. 8, introduced by Hafferman, Thiessen, Conover, et al

Senate Joint Resolution No. 12, introduced by Galt, Thiessen, Manley, et al

Senate Bills passed as amended and transmitted to the House for concurrence: 2/15/79

Senate Bill No. 260, introduced by S. Brown, Towe, Himsl

Senate Bill No. 288, introduced by S. Brown, Turnage, Van Valkenburg

Senate Bill No. 371, introduced by Thomas

MOTIONS

Dussault moved that the rules be temporarily suspended to allow bills this day reported out of committee without amendment to be placed on

Second Reading for the Fortieth Legislative Day without being reprinted. Motion carried.

Vincent moved that HB 502 be taken from Second Reading and referred to the Committee on Appropriations. Motion carried.

Day moved that the rules be temporarily suspended to allow the name of Senator Thiessen as a cosponsor on HB 792. Motion carried.

Gould moved that HB 463 pass consideration until the Fortieth Legislative Day. Motion carried.

Ellis moved that the name of Bob Sivertsen be added as a sponsor on HB 606. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 833, introduced by McBride. Referred to Committee on Judiciary.

HB 834, introduced by Bardanouve. Referred to Committee on State Administration.

HB 835, (introduced by Judiciary Committee), Scully, Chairman. Referred to Committee on Judiciary.

HB 836, introduced by Scully, Roth. Referred to Committee on Judiciary.

HB 837, introduced by Fagg. Referred to Committee on State Administration.

HB 838, introduced by Hemstad, Reichert, Dussault, Marks, Van Valkenburg, Meyer, Ellis, Kessler, McBride, Cooney, Manning, Nordtvedt, Brand, Eudaily, Lund, R. Anderson, Nathe, Fabrega, Bengtson, Rosenthal, Teague, Uhde, O'Connell, Lien, Harrington, Harper, M. Anderson, Roskie, McCallum, Scully, Stobie, Day, Kolstad, Quilici, Vincent, B. Brown, Menahan, Kanduch, Stephens, Johnston, Burnett, Daily, Underdal, Turnage, Hazelbaker, Mehrens, Metcalf, Kemmis, Fasbender, Pavlovich, Tropila. Referred to Committee on Appropriations.

HB 839, introduced by Dussault, Ellis. Referred to Committee on Judiciary.

HB 840, introduced by McBride, Palmer, Kessler, Dozier, Fagg, Cooney, Teague, Waldron. Referred to Committee on Judiciary.

HB 841, introduced by Dassinger, Conroy. Referred to Committee on Appropriations.

HB 842, introduced by Day, (By Request of Select Water Committee). Referred to House Select Committee on Water.

HB 843, introduced by Huennekens. Referred to Committee on Business and Industry.

HB 844, introduced by Meyer. Referred to Committee on Taxation.

HB 845, introduced by Ramirez. Referred to Committee on Judiciary.

HB 846, introduced by Waldron, Tropila, Sivertsen, Porter, Fagg, Dussault, Feda, Uhde. Referred to Committee on State Administration.

HB 847, introduced by Fabrega, Tropila, Huennekens, Ramirez. Referred to Committee on State Administration.

HB 848, introduced by Quilici, Menahan, Daily, Harrington, Ellerd, Pavlovich, Scully, Huennekens. Referred to Committee on Taxation.

HB 849, introduced by Johnson, Manuel, Marks, Fasbender. Referred to Committee on Agriculture, Livestock and Irrigation.

HB 850, introduced by Cooney, Vincent, Feda, Baeth, Kanduch, Magone, Fabrega, Rosenthal, Ernst, Hemstad, Keyser, Kropp, Meyer, Frates, Uhde, Tropila. Referred to Committee on Highways and Transportation.

HJR 45, (introduced by House Natural Resources Committee), Shelden, Chairman. Referred to Committee on Natural Resources.

HJR 46, introduced by Fagg. Referred to Committee on State Administration.

The following Senate bills were introduced, read first time and referred to committees:

SB 86, introduced by Hazelbaker, (By Request of the Commissioner of Insurance). Referred to Committee on Judiciary.

SB 260, introduced by S. Brown, Towe, Himsl. Referred to Committee on Judiciary.

SB 281, introduced by Hager, Hazelbaker. Referred to Committee on Judiciary.

SB 288, introduced by S. Brown, Turnage, Van Valkenburg. Referred to Committee on Judiciary.

SB 341, introduced by Turnage, S. Brown. Referred to Committee on Judiciary.

SB 371, introduced by Thomas. Referred to Committee on Business and Industry.

SJR 8, introduced by Hafferman, Thiessen, Conover, Galt, E. Smith, Stephens, Kolstad, Lowe, McCallum, Aklestad, Roskie, Dover, Blaylock, Graham, K. Robbins, Williams, Curtiss, Magone, Goodover, Hazelbaker, Boylan, Story, O'Hara, Stimatz, Severson, Peterson, Turnage, Healy, Ryan, Hager, Mathers, Bennett, Johnston, Gesek, Smith, Staigmiller. Referred to Committee on Natural Resources.

SJR 12, introduced by Galt, Thiessen, Manley, Etchart, Manning, Graham, Nelson, Aklestad, Conroy, Keyser, Pistoria. Referred to Committee on Judiciary.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 129 was passed by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 86

Noes: Hayne, Kropp, Lund, Stobie, Underdal, Wyrick.
Total 6

Excused: Holmes, Sivertsen.
Total 2

Absent or not voting: Baeth, Bennett, Burnett, Fagg, Shelden, Smith.

Total 6

House Bill No. 348 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Dussault, Jensen, Ramirez, Wood.
Total 4

Excused: Holmes, Sivertsen.
Total 2

Absent or not voting: Fagg, Johnston, Scully.
Total 3

House Bill No. 382 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 83

Noes: Brand, Dussault, Ellerd, Huennekens, Iverson, Jensen, Manning, Oberg, O'Connell, Roth, Thoft, Yardley.
Total 12

Excused: Holmes, Sivertsen.
Total 2

Absent or not voting: Fagg, Hurwitz, Scully.
Total 3

House Bill No. 414 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Dozier, Dussault, Fabrega, Frates, Gesek, Gilligan, Harper, Harrington, Huennekens, Johnson, Kanduch, Keedy, Kemmis, Kessler, Lien, McBride, Magone, Manning, Menahan, Metcalf, Oberg, Pavlovich, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 52

Noes: Bengtson, Burnett, Day, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily, Feda, Gould, Hand, Hayne, Hemstad, Hirsch, Hurwitz, Iverson, Jensen, Johnston, Keyser, Kropp, Kvaalen, Lory, Lund, Manuel, Marks, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pistoria, Porter, H. Robbins, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Underdal, Vinger, Wood, Wyrick.
Total 44

Excused: Holmes, Sivertsen.
Total 2

Absent or not voting: Fagg, Shelden.
Total 2

House Bill No. 452 was passed by the following vote:

Ayes: Bengtson, Bennett, Burnett, Conroy, Curtiss, Daily, Dassinger, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Gesek, Gould, Hand, Hayne, Hemstad, Hurwitz, Iverson, Johnston, Keyser, Kropp, Kvaalen, Lien, Lory, Manning, Manuel, Marks, Meyer, Moore, O'Connell, Pavlovich, Pistoria, Porter, Quilici, K. Robbins, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Tropila, Underdal, Vinger, Williams, Wood.
Total 53

Noes: Anderson, Azzara, Baeth, Bardanouve, Bertelsen, Brand, Cooney, Day, Dozier, Dussault, Ellis, Fagg, Frates, Gilligan, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Lund, McBride, Magone, Menahan, Metcalf, Nathe, Nordtvedt, Oberg, Ramirez, Reichert, H. Robbins, Rosenthal, Scully, Shelden, South, Thoft, Uhde, Vincent, Waldron, Wyrick, Yardley, Mr. Speaker.
Total 47

Paired: Keyser, Seifert, Sivertsen, Ayes; Fagg, Holmes, Yardley, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

House Bill No. 456 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: Brand, Manning.
Total 2

Excused: Holmes, Sivertsen.
Total 2

Absent or not voting: Fagg.
Total 1

House Bill No. 491 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Smith, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Burnett.
Total 1

Excused: Holmes, Sivertsen.
Total 2

Absent or not voting: Fagg, Hirsch, H. Robbins, South, Stobie.
Total 5

House Bill No. 513 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 92

Noes: Brand, Day, Vinger.
Total 3

Excused: Holmes, Sivertsen.
Total 2

Absent or not voting: Bennett, Fagg, Wyrick.
Total 3

House Bill No. 544 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich,

Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Holmes, Sivertsen.
Total 2

Absent or not voting: Fagg, Thoft.
Total 2

House Bill No. 599 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Holmes, Sivertsen.
Total 2

Absent or not voting: Fagg, Hemstad, Moore.
Total 3

House Bill No. 609 was passed by the following vote:

Ayes: Anderson, Baeth, Bengtson, Brand, Conroy, Curtiss, Daily, Dassinger, Day, Dozier, Ellis, Ernst, Eudaily, Fabrega, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hurwitz, Iverson, Johnston, Keyser, Kvaalen, Lien, Lory, Manning, Manuel, Menahan, Metcalf, Meyer, O'Connell, Pavlovich, Pistoria, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Scully, Seifert, Smith, Staigmiller, Teague, Tropila, Uhde, Underdal, Wood, Mr. Speaker.
Total 52

Noes: Azzara, Bardanouve, Bennett, Bertelsen, Burnett, Cooney, Donaldson, Dussault, Ellerd, Ellison, Feda, Hayne, Hirsch, Huennekens, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Kropp, Lund, McBride, Magone, Marks, Nathe, Nordtvedt, Oberg, Porter, Quilici, Ramirez, Reichert, Schultz, Shelden, South, Spilker, Stobie, Thoft, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley.
Total 44

Excused: Holmes, Sivertsen.
Total 2

Absent or not voting: Fagg, Moore.

Total 2

House Bill No. 611 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Seifert, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Bardanouve, Sales, Shelden, Waldron.
Total 4

Excused: Holmes, Sivertsen.
Total 2

Absent or not voting: Fagg, Oberg, Scully.
Total 3

House Bill No. 620 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Scully, Seifert, Shelden, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Ernst, Moore, Nathe, Schultz, Smith, Vinger, Wood.
Total 7

Excused: Holmes, Sivertsen.
Total 2

Absent or not voting: Fagg.
Total 1

House Bill No. 650 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins,

Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Holmes, Sivertsen.
Total 2

Absent or not voting: Fagg.
Total 1

House Joint Resolution No. 3 was passed by the following vote:

Ayes: Anderson, Azzara, Bengtson, Bennett, Brand, Burnett, Conroy, Curtiss, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hand, Harper, Hayne, Hemstad, Hurwitz, Iverson, Jensen, Johnston, Keedy, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Porter, Ramirez, K. Robbins, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Wood, Wyrick.
Total 66

Noes: Baeth, Bardanouve, Bertelsen, Cooney, Daily, Dassinger, Dussault, Frates, Gesek, Gilligan, Harrington, Hirsch, Huennekens, Johnson, Kanduch, Kemmis, Kessler, McBride, Menahan, Oberg, Pistoria, Quilici, Reichert, H. Robbins, Rosenthal, Scully, Shelden, South, Thoft, Waldron, Williams, Yardley, Mr. Speaker.
Total 33

Paired: Fagg, Sivertsen, Ayes; Dussault, Huennekens, Noes.

Excused: Holmes.
Total 1

Absent or not voting: None.
Total 0

House Joint Resolution No. 17 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Huennekens, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Rosenthal, Scully, Seifert, Shelden, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 80

Noes: Ellis, Ernst, Hirsch, Hurwitz, Jensen, Kropp, Kvaalen, Moore, Nordtvedt, Roth, Sales, Schultz, Smith, Stobie, Underdal, Vinger.
Total 16

Excused: Holmes, Sivertsen.
Total 2

Absent or not voting: Fagg, Reichert.

Total 2

House Joint Resolution No. 21 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Hurwitz, Kvaalen, Lory, Sales.
Total 4

Excused: Holmes, Sivertsen.
Total 2

Absent or not voting: Fagg, Reichert.
Total 2

Conference Committee Report on Senate Amendments to House Bill No. 75 was adopted by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Hand, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, Pavlovich, Pistoria, Porter, Quilici, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, South, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Williams, Yardley, Mr. Speaker.
Total 75

Noes: Anderson, Burnett, Conroy, Donaldson, Gould, Harper, Iverson, Johnson, Keedy, Marks, Nordtvedt, Oberg, Ramirez, Reichert, Smith, Spilker, Staigmiller, Uhde, Waldron, Wood.
Total 20

Excused: Holmes, Sivertsen.
Total 2

Absent or not voting: Ellis, Fagg, Wyrick.
Total 3

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Ramirez in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 654, second reading copy, be amended as follows: (79-0)

1. Page 1, Title, line 7.
Following: "RULE"
Insert: ", excluding Federal rules"

2. Title, line 9.
Following: "AN"
Strike: "IMMEDIATE"

3. Page 4, line 7.
Strike: "passage and approval"
Insert: "January 1, 1980"

And as amended, do pass. Motion failed. (42-46)

That HB 654, as amended, do not pass. (47-37)

That HB 673, introduced bill, be amended as follows: (66-10)

1. Page 2, line 11.
Following: "grade"
Strike: "18"
Insert: "14, step 1,"

2. Page 2, line 12.
Following: "grade"
Strike: "20"
Insert: "15, step 13"

3. Page 3, line 11.
Following: "13"
Insert: ", step 1,"

4. Page 3, line 12.
Following: "grade"
Strike: "18"
Insert: "14, step 13"

And as amended, do pass. (67-19)

That HB 46, second reading copy, be amended as follows: (70-12)

1. Page 8, lines 5 through 10.
Following: "(b)"
Strike: remainder of lines 5 through 10 in their entirety
Insert: "a single division of a parcel, to which title or contract for deed as recorded in a notice of purchaser's interest filed with the clerk and recorder has been held continuously by the person proposing to divide the parcel for a period of 5 years, and which is outside of platted subdivisions, where the transaction is a gift or sale to any member of the landowner's immediate family. Any further division of the exempted parcel shall be reviewed by the governing body under the provisions of this chapter."

And as amended, do not pass. Motion failed. (31-64)

That Committee of the Whole Amendment to HB 46, dated 2/16/79, 2:30 p.m., be amended as follows: (66-2)

1. Line 1 of the insertion paragraph.

Following: "division"
Insert: "within a 12-month period"

2. Line 6 of the insertion paragraph.
Strike: "any"
Insert: "each"

And as amended, do pass. (72-25)

That HB 61 do pass. (77-10)

That HB 118, second reading copy, be amended as follows: (68-1)

1. Page 2, line 4.
Strike: "shall"
Insert: "may, with the approval of the governing body,"

And as amended, do pass. (70-9)

That HB 181 do pass. (72-2)

That HB 219 do pass. (78-15)

That HB 234 do pass. (80-0)

That HB 235, second reading copy, be amended as follows: (67-4)

1. Page 4, line 22.
Following: "those"
Insert: "enclosed"

2. Page 4, line 24.
Following: line 23
Strike: "a"
Insert: "an enclosed"

3. Page 5, line 5.
Following: "containing"
Insert: "enclosed"

That HB 235, second reading copy, be further amended as follows: (72-5)

1. Page 6, line 15.
Following: "Exemptions."
Strike: "Except for working areas in enclosed public places, the"
Insert: "The"

2. Page 6, line 19.
Following: "vehicles"
Insert: "or rooms"

And as amended, do pass. (76-19)

Dussault moved that HB 278 be placed at the bottom of the board. Motion carried.

That HB 296 do pass. (83-0)

That HB 318 do pass. (78-0)

That HB 349 do pass. (74-1)

That HB 380 do pass. (83-0)

That HB 381 do pass. (81-3)

That HB 399 do pass. (81-1)

That HB 439 do pass. (82-1)

That HB 459 do pass. (84-0)

That HB 473 do pass. (59-28)

That HB 482 do pass. (82-0)

That HB 485 do pass. (81-0)

That HB 486 do pass. (77-5)

That HB 488 do pass. (85-0)

That HB 499 do pass. Motion failed. (43-45)

That HB 499 do not pass. Motion failed. (26-64)

Dussault moved that the House reconsider its action taken this day on Second Reading on HB 499. Motion carried. (71-15)

That HB 499 do pass. (64-27)

That HB 500 do pass. (80-0)

That HB 516 do pass. (81-0)

Smith, Jensen excused at this time.

That HB 526 do not pass. (56-42)

That HB 543 do pass. (80-6)

That HB 618 do pass. (78-10)

That HB 642 do pass. (68-25)

Dussault moved that the Committee of the Whole Report be deemed read. Motion carried.

That the Committee rise and report. (Ramirez, Chairman). Report adopted. (85-7)

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/16/79

Considered correctly engrossed - HB 264, HB 313, HB 422, HB 531, HB 551, HB 572, HB 594, HB 597, HB 608, HB 666, HB 668, HB 676, HB 709, HB 738, HJR 24, HJR 26, HJR 31.

Correctly printed - HB 233, HB 392, HB 730, HB 734.

Do Pass

BUSINESS AND INDUSTRY (Quilici, Chairman): 2/16/79

HB 688, introduced bill, be amended as follows:

1. Title, line 5.
Following: "NOTICE"
Strike: "OF HEARINGS"

2. Page 2, line 2.
Following: "notice"
Strike: "of hearing"

3. Page 3, line 12.
Following: "notice"

Strike: "of hearing"

And as amended, do pass. Report adopted.

HB 707, introduced bill, be amended as follows:

1. Page 1, line 13.
Following: "A municipality"
Insert: ", as of January 1, 1979,"

2. Page 1, line 16.
Following: "not"
Strike: "provide competitive or similar"
Insert: ", by ordinance or otherwise, elect to provide exclusive"

3. Page 1, line 22.
Following: "services."
Insert: "The private motor carrier shall be given notice of the decision by the municipality to provide exclusive garbage and solid waste services no later than 10 days after the decision has been made by the municipality."

And as amended, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Gilligan, Chairman): 2/16/79

HB 383, do pass. Report adopted.
HB 428, do pass. Report adopted.
HB 458, introduced bill, be amended as follows:

1. Page 2, line 18.
Following: "meeting."
Insert: "The approval of the minutes of a prior meeting shall not occur more than 40 days after the meeting, except that no board shall be required to meet to approve the minutes of a meeting at which no substantive business was conducted."

And as amended, do pass. Report adopted.

HB 532, do pass. Report adopted.
HB 537, introduced bill, be amended as follows:

1. Page 4, line 1.
Following: "I"
Strike: "1.0"
Insert: "0.5"

2. Page 4, line 2.
Following: "II"
Strike: "0.8"
Insert: "0.4"

3. Page 4, line 3.
Following: "III"
Strike: "0.6"
Insert: "0.3"

4. Page 4, line 4.
Following: "IV"
Strike: "0.4"
Insert: "0.2"

5. Page 4, line 5.
Following: "V"

Strike: "0.2"
Insert: "0.1"

And as amended, do pass. Report adopted.

HB 674, do pass. Report adopted.
HB 675, do pass. Report adopted.
HB 718, do pass. Report adopted.
HB 763, do pass. Report adopted.

HUMAN SERVICES (Holmes, Chairman): 2/16/79
HB 578, do pass. Report adopted.
HB 638, introduced bill, be amended as follows:

1. Title, line 8.
Following: "TERMINATION;"
Strike: "AND"

2. Title, line 10.
Following: "CONTINUATION"
Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 3.
Following: line 4
Insert: "Section 6. Immediate effective date. This act is effective on passage and approval."

And as amended, do pass. Report adopted.

HB 711, do pass. Report adopted.

JUDICIARY (Scully, Chairman): 2/16/79
HB 341, do pass. Report adopted.
HB 621, do pass. Report adopted.
HB 670, do pass. Report adopted. 2/15/79
HB 682, introduced bill, be amended as follows: 2/16/79

1. Page 2, lines 7 and 8.
Strike: "with a population of less than 30,000"

2. Page 5, line 23.
Following: "~~$30,000~~"
Strike: "$34,200"
Insert: "$30,000"

And as amended, do pass. Report adopted.

HB 712, do pass. Report adopted.
HB 713, introduced bill, be amended as follows:

1. Page 2, line 17 through line 5, page 3.
Strike: sections 2 and 3 in their entirety

And as amended, do pass. Report adopted.

HB 719, do pass. Report adopted.
HB 737, do pass. Report adopted.
HB 813, do pass. Report adopted.

STATEMENT OF INTENT RE: House Bill No. 813

The provisions of law dealing with abused, neglected, or dependent children; delinquent youths; and youths in need of supervision recognize the principle that the parents or guardian of the minor are responsible for a

fair share of the costs of supporting the minor when the minor is placed in a foster home, group home, or other form of custodial care. This bill is intended to provide a mechanism for determining the parents' or guardian's share of financial support in those situations involving the department of social and rehabilitation services. Three guiding principles interact to provide the thrust of the legislation. First, the welfare of the minor is of utmost concern. The focus is on the youth, and the law is designed to provide an opportunity for the youth to realize his potential. Secondly, the traditional privacy and security of the family are to be preserved. Thirdly, and referred to above, the parents or guardian of a minor are responsible for the financial support of the minor. These three principles can and often do conflict with one another. This bill addresses investigations as to the ability of the parents or guardian to bear all or part of the cost of supporting a youth taken from their custody and attempts to strike a balance between these three principles by requiring that an investigation by the county welfare department into matters of financial status may not be made until a court, or, in the case of an informal adjustment under the Youth Court Act, a probation officer places the child in a foster home, child care agency, group home, or private treatment facility.

Rules developed pursuant to authority granted under this bill should provide procedures that insure that the parents or guardian have access to the reports and data developed by both the department of social and rehabilitation services and the county welfare department and that guarantee that investigations into financial and other matters will not intrude into private lives beyond the level necessary to protect the welfare of the child.

/s/Scully

HB 835, do pass. Report adopted.

TAXATION (Huennekens, Chairman): 2/16/79

HB 371, introduced bill, be amended as follows:

1. Title, line 8.
Following: "REVENUE"
Insert: "; AND PROVIDING THAT THE CONSENT OF THE COUNTY ATTORNEY IS NEEDED ONLY IF LITIGATION IS INVOLVED"

2. Page 1.
Following: line 10
Strike: all of the bill following the enacting clause
Following: line 22
Insert: "Section 1. Section 15-8-707 is amended to read:

'15-8-707. Defects in form of assessment book may be ~~supplied~~ corrected. (1) At any time after the original assessment is made and prior to a sale for delinquent taxes, omissions ~~Omissions~~, errors, or defects in form in any original or duplicate assessment book~~,~~ ~~when it can be ascertained therefrom what was intended,~~ may~~,~~ ~~with the consent of the county attorney, be supplied or~~ be corrected by the:

(a) department of revenue ~~at any time prior to the sale for delinquent taxes and after the original assessment was made.~~; or

(b) county assessor or county treasurer with verification from the department.

(2) If the correction involves an assessment of property that is the subject of pending litigation, the consent of the county attorney must be obtained before any correction may be made.'"

And as amended, do pass. Report adopted.

HB 581, introduced bill, be amended as follows:

1. Title, line 5.
Following: "THE".
Insert: "ANNUAL AND"

2. Page 1, line 22.
Following: "January"
Strike: "25"
Insert: "31"

And as amended, do pass. Report adopted.

HB 582, introduced bill, be amended as follows:

1. Page 1, line 10.
Following: "Aircraft"
Strike: "built prior to 1936"
Insert: "40 years old or older"

And as amended, do pass. Report adopted.

HB 619, introduced bill, be amended as follows:

1. Page 1, line 9.
Following: "the"
Strike: "of"
Following: "purpose"
Insert: "of"

2. Page 2, line 6.
Following: "person."
Strike: "Permissable"
Insert: "Permissible"

And as amended, do pass. Report adopted.

SELECT COMMITTEE ON WATER (Day, Chairman): 2/16/79
HB 230, do pass. Report adopted.
HB 489, do pass. Report adopted.

Adverse Committee Reports

BUSINESS AND INDUSTRY (Quilici, Chairman): 2/16/79
HB 728, introduced bill, be amended as follows:

1. Title, line 5.
Following: "BANKS"
Insert: "AND CREDIT UNIONS"

2. Title, line 5.
Following: "ACCOUNTS"
Insert: "AND SHARE DRAFT ACCOUNTS"

3. Title, line 6.
Following: "CHECKS"
Insert: "OR DRAFTS"

4. Page 1, line 11.
Following: "Checking"
Insert: "or share draft"

5. Page 1, line 12.

Following: "32-1-105"
Insert: "or a credit union"

6. Page 1, line 13.
Following: "checking"
Insert: "or share draft"

7. Page 1, line 14.
Following: "checking"
Insert: "or share draft"

8. Page 1, line 16.
Following: "Checking"
Insert: "or share draft"

9. Page 1, line 17.
Following: "checking"
Insert: "or share draft"

10. Page 1, line 22.
Following: "bank"
Insert: "or credit union"

11. Page 1, line 23.
Following: "checking"
Insert: "or share draft"

12. Page 1, line 24.
Following: "bank"
Insert: "or credit union"

13. Page 1, line 25.
Following: "checking"
Insert: "or share draft"

14. Page 2, line 3.
Following: "checking"
Insert: "or share draft"

15. Page 2, line 4.
Following: "bank"
Insert: "or credit union"
Following: "commercial bank"
Insert: "or credit union"

16. Page 2, line 6.
Following: "checking"
Insert: "or share draft"

17. Page 2, line 8.
Following: "checks"
Insert: "or share drafts"

18. Page 2, line 10.
Following: "check"
Insert: "or share draft"

19. Page 2, line 12.
Following: "banks"
Insert: "or credit unions"

20. Page 2, line 13.
Following: "banks"
Insert: "or credit unions"

21. Page 2, line 13.
Following: "and"
Strike: "its"
Insert: "their"

22. Page 2, line 16.
Following: "bank"
Insert: "or credit union"

23. Page 2, line 17.
Following: "checking"
Insert: "or share draft"

24. Page 2, line 17.
Following: "bank"
Insert: "or credit union"

25. Page 2, line 18.
Following: "checking"
Insert: "or share draft"

26. Page 2, line 19.
Following: "checks"
Insert: "or share drafts"

27. Page 2, line 24.
Following: "bank"
Insert: "or credit union"

28. Page 2, line 25.
Following: "checking"
Insert: "or share draft"

29. Page 3, line 1.
Following: "section"
Strike: "4"
Insert: "5"

30. Page 3, line 2.
Following: "check"
Insert: "or share draft"

And as amended, do not pass.

HB 794, introduced bill, be amended as follows:

1. Title, line 9.
Following: "33-17-202,"
Strike: "33-25-103,"

2. Page 7.
Following: line 9
Strike: section 9 in its entirety
Renumber: subsequent sections

And as amended, do not pass.

JUDICIARY (Scully, Chairman): 2/16/79
HB 659, do not pass.
HB 726, do not pass.

On motion by Day, the Adverse Committee Report on HB 101 was not adopted by the following vote: (45-51)

Ayes: Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Feda, Gesek, Hand, Hemstad, Hurwitz, Iverson, Kanduch, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Marks, Nathe, Nordtvedt, Pistoria, Porter, H. Robbins, Roth, Sales, Schultz, Seifert, Shelden, Spilker, Staigmiller, Stobie, Underdal, Wood, Wyrick, Mr. Speaker.
Total 45

Noes: Anderson, Azzara, Bardanouve, Brand, Cooney, Curtiss, Daily, Dassinger, Day, Dussault, Fabrega, Fagg, Frates, Gilligan, Gould, Harper, Harrington, Hayne, Hirsch, Huennekens, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, McBride, Manuel, Menahan, Metcalf, Meyer, Moore, Oberg, O'Connell, Pavlovich, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Scully, South, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Yardley.
Total 51

Excused: Holmes, Jensen, Sivertsen, Smith.
Total 4

Absent or not voting: None.
Total 0

On motion by Gilligan, the Adverse Committee Report on HB 236 was adopted by the following vote: (67-26)

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Burnett, Conroy, Curtiss, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Hand, Hayne, Hirsch, Iverson, Johnston, Kanduch, Keedy, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pistoria, Porter, Quilici, H. Robbins, K. Robbins, Roth, Sales, Schultz, Scully, Seifert, Shelden, South, Spilker, Stobie, Thoft, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 67

Noes: Azzara, Bertelsen, Brand, Cooney, Daily, Dassinger, Dussault, Gesek, Gould, Harper, Hemstad, Huennekens, Kemmis, Kessler, McBride, Metcalf, Oberg, Pavlovich, Ramirez, Reichert, Rosenthal, Staigmiller, Teague, Tropila, Uhde, Waldron.
Total 26

Excused: Holmes, Jensen, Sivertsen, Smith.
Total 4

Absent or not voting: Harrington, Hurwitz, Johnson.
Total 3

On motion by Gilligan, the Adverse Committee Report on HB 239 was adopted by the following vote: (84-8)

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Scully, Seifert, Shelden, South, Spilker,

Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 84

Noes: Brand, Frates, Gould, Keedy, McBride, Porter, Staigmiller, Waldron.
Total 8

Excused: Holmes, Jensen, Sivertsen, Smith.
Total 4

Absent or not voting: Azzara, Fabrega, O'Connell, Rosenthal.
Total 4

On motion by Gilligan, the Adverse Committee Report on HB 240 was adopted by the following vote: (80-13)

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, McBride, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Scully, Seifert, South, Spilker, Staigmiller, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 80

Noes: Brand, Burnett, Hayne, Keedy, Lien, Magone, Manning, Porter, Ramirez, Rosenthal, Stobie, Teague, Waldron.
Total 13

Excused: Holmes, Jensen, Sivertsen, Smith.
Total 4

Absent or not voting: Bardanouve, O'Connell, Shelden.
Total 3

On motion by Gilligan, the Adverse Committee Report on HB 265 was adopted by the following vote: (85-11)

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Scully, Seifert, Shelden, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 85

Noes: Anderson, Fabrega, Gould, Johnson, Keedy, McBride, Metcalf, Ramirez, Rosenthal, Teague, Waldron.
Total 11

Excused: Holmes, Jensen, Sivertsen, Smith.
Total 4

Absent or not voting: None.

Total 0

On motion by Huennekens, the Adverse Committee Report on HB 523 was adopted by the following vote: (70-26)

Ayes: Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Hand, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Iverson, Johnson, Johnston, Kanduch, Kemmis, Kessler, Lory, Lund, McBride, Magone, Manning, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Roth, Schultz, Seifert, Shelden, South, Spilker, Stobie, Thoft, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 70

Noes: Anderson, Bengtson, Brand, Burnett, Conroy, Dassinger, Gesek, Gould, Harper, Hurwitz, Keedy, Keyser, Kropp, Kvaalen, Lien, Manuel, Nathe, O'Connell, H. Robbins, Rosenthal, Sales, Scully, Staigmiller, Teague, Tropila, Uhde.
Total 26

Excused: Holmes, Jensen, Sivertsen, Smith.
Total 4

Absent or not voting: None.
Total 0

On motion by Gilligan, the Adverse Committee Report on HB 525 was adopted by the following vote: (79-17)

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Curtiss, Daily, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Sales, Schultz, Scully, Seifert, Shelden, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 79

Noes: Azzara, Bardanouve, Cooney, Dassinger, Dussault, Frates, Gesek, Gilligan, Huennekens, Keyser, Magone, Nathe, Rosenthal, Roth, Teague, Vinger, Yardley.
Total 17

Excused: Holmes, Jensen, Sivertsen, Smith.
Total 4

Absent or not voting: None.
Total 0

On motion by Williams, the Adverse Committee Report on HB 527 was adopted by the following vote: (76-16)

Ayes: Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Donaldson, Dozier, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Hand, Harrington, Hayne, Hirsch, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell,

Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Scully, Seifert, Shelden, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Underdal, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 76

Noes: Anderson, Azzara, Dussault, Frates, Gilligan, Gould, Harper, Hemstad, Keedy, Kemmis, Menahan, Metcalf, Rosenthal, Teague, Uhde, Vincent.
Total 16

Excused: Holmes, Jensen, Sivertsen, Smith.
Total 4

Absent or not voting: Bardanouve, Dassinger, Day, Ellerd.
Total 4

On motion by Scully, the Adverse Committee Report on HB 560 was adopted by the following vote: (59-30)

Ayes: Anderson, Bennett, Bertelsen, Conroy, Daily, Day, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fagg, Feda, Gilligan, Gould, Hand, Harrington, Hayne, Hirsch, Hurwitz, Iverson, Johnston, Kanduch, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, Pavlovich, Pistoria, Porter, Quilici, K. Robbins, Rosenthal, Sales, Scully, Seifert, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 59

Noes: Azzara, Baeth, Bardanouve, Bengtson, Brand, Burnett, Curtiss, Dussault, Ellis, Fabrega, Frates, Gesek, Harper, Hemstad, Huennekens, Johnson, Keedy, Kessler, Manning, Metcalf, Oberg, O'Connell, Ramirez, Reichert, H. Robbins, Schultz, Shelden, Stobie, Vinger, Waldron.
Total 30

Excused: Holmes, Jensen, Sivertsen, Smith.
Total 4

Absent or not voting: Cooney, Dassinger, Dozier, Roth, South, Spilker, Thoft.
Total 7

REPORTS OF SELECT COMMITTEES

JOINT CONFERENCE COMMITTEE ON HOUSE BILL NO. 40
Report No. 1, February 14, 1979

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 40, met on February 14, 1979, and considered Senate Committee on Public Health, Welfare and Safety Amendments dated January 25, 1979, and recommend as follows:

That the House accept Senate Amendment number 1 reading as follows to House Bill No. 40, reference bill:

1. Amend page 1, line 15.
Following: "be"
Strike: "60"
Insert: "55"

And that the Conference Committee Report to House Bill No. 40 be adopted.

FOR THE HOUSE:	FOR THE SENATE:
COONEY	HIMSL
METCALF	LENSINK
	NORMAN

MOTIONS

Dussault moved that HB 831 be rereferred from the Committee on Local Government to the Committee on Judiciary. Motion carried.

Dussault moved that all bills currently in the House Taxation Committee be considered to be revenue bills for the purpose of transmittal deadline. Motion carried.

Dussault moved that the rules be temporarily suspended to allow a drafting request to be submitted to the Legislative Council for a committee bill from the Committee on State Administration. Motion carried.

Williams moved that HB 805 be rereferred from the Committee on Judiciary to the Committee on Labor and Employment Relations. Motion carried.

UNFINISHED BUSINESS

Mrs. Diana Dowling 2/16/79
Executive Director
Legislative Council
Capitol Building

Dear Mrs. Dowling:

I hereby appoint the following Representatives to the Legislative Council Committee for the 1979-80 biennium:

Representative John Vincent, Democrat

Representative Rex Manuel, Democrat

Representative Robert Marks, Republican

Representative Oscar Kvaalen, Republican

Sincerely,

Harold E. Gerke
Speaker of the House

Dussault moved that the House adjourn until 2:00 p.m., February 17, 1979.

Motion carried.

House adjourned at 7:17 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

FORTIETH LEGISLATIVE DAY

Helena, Montana
February 17, 1979

House Chambers
Capitol Building

House convened at 2:01 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Bennett, Burnett, Jensen, Sivertsen, excused; Huennekens, Kessler, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Thirty-fifth Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

Dussault moved that all printing reports and Standing Committee Reports with a do pass recommendation be deemed read. Motion carried.

BILLS (Metcalf, Chairman): 2/17/79
Examined by the Sponsor and found to be correct - HB 62, HB 66.

Correctly enrolled - HB 62, HB 66.
Correctly printed - HB 406, HB 521, HB 577, HB 585, HB 590, HB 701, HB 705, HB 708.
Correctly engrossed - HB 431, HB 568, HB 605.
Considered correctly engrossed - HB 739.

Signed by the Speaker on adjournment, 2/16/79 - SB 53, SB 125, SB 127.

Will be signed by the Speaker on adjournment, 2/17/79 - HB 62, HB 66.

Do Pass

AGRICULTURE, LIVESTOCK AND IRRIGATION (Day, Chairman): 2/17/79
HB 735, do pass. Report adopted.
HB 736, do pass. Report adopted.
HB 756, do pass. Report adopted.

HUMAN SERVICES (Holmes, Chairman): 2/17/79
HB 653, do pass. Report adopted.
HB 692, do pass. Report adopted.
HB 755, do pass. Report adopted.
HB 771, do pass. Report adopted.
HB 810, do pass. Report adopted.

NATURAL RESOURCES (Shelden, Chairman): 2/17/79
HB 555, introduced bill, be amended as follows:

1. Page 3.
Following: line 9
Insert: "SECTION 2. THERE IS A NEW MCA SECTION THAT READS:

Leasing of state-owned projects and works for power generation. Nothing in [section 1] is intended to prohibit the department or the board from leasing to a person state-owned projects or works for construction and operation of electrical generation facilities.

Section 3. Codification. Section 2 is intended to be codified as an integral part of Title 85, chapter 1, part 1, and the provisions contained in Title 85, chapter 1, part 1 apply to section 2."

And as amended, do pass. Report adopted.

SELECT COMMITTEE ON WATER (Day, Chairman): 2/17/79
HB 615, do pass. Report adopted.
HB 717, do pass. Report adopted.
HB 733, do pass. Report adopted.

Adverse Committee Reports

AGRICULTURE, LIVESTOCK AND IRRIGATION (Day, Chairman): 2/17/79
HB 677, do not pass.
HB 700, do not pass.

MESSAGES FROM THE OTHER HOUSE

Senate Bills passed as amended and transmitted to the House for concurrence: 2/16/79

Senate Bill No. 109, introduced by Ryan, Rasmussen

Senate Bill No. 113, introduced by Graham

Senate Bill No. 153, introduced by Story

Senate Bill No. 170, introduced by Rasmussen, R. Brown

Senate Bill No. 171, introduced by Lockrem, Rasmussen, Thiessen, Towe

Senate Bill No. 175, introduced by Van Valkenburg, Olson, et al

Senate Bill No. 199, introduced by Turnage

Senate Bill No. 209, introduced by S. Brown, Thomas, et al

Senate Bill No. 213, introduced by Blaylock

Senate Bill No. 220, introduced by Turnage

Senate Bill No. 225, introduced by Ryan

Senate Bill No. 227, introduced by E. Smith, Kolstad, et al

Senate Bill No. 232, introduced by S. Brown

Senate Bill No. 261, introduced by Turnage, requiring adoption by an affirmative roll call vote of two-thirds of the members of the Legislature, passed by the Senate and transmitted to the House with the following vote: 2/16/79

SENATE

YEAS - 34
NAYS - 16

Senate Bills passed and transmitted to the House for concurrence: 2/16/79

Senate Bill No. 139, introduced by Hazelbaker

Senate Bill No. 217, introduced by B. Brown, Turnage, et al

Senate Bill No. 224, introduced by Kolstad, McCallum, et al

Senate Bill No. 276, introduced by B. Brown, et al

MOTIONS

Vincent moved that HB 554 be taken from Second Reading and passed ntil the Forty-second Legislative Day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred) committees:

HB 851, introduced by Spilker, Waldron, Reichert, H. Robbins, Azzara, Bardanouve, Palmer, Watt, Rasmussen, McCallum, Donaldson. Referred to Committee on Local Government.

HB 852, introduced by Gould, Harrington, Daily, Conroy, Kanduch, Pavlovich, Johnston, Menahan, Feda, Wyrick, Hurwitz, Thoft. Referred to Committee on Taxation.

HB 853, introduced by Azzara, Cooney, Bardanouve. Referred to Committee on State Administration.

HB 854, introduced by Nordtvedt. Referred to Committee on State Administration.

HB 855, introduced by Azzara, Kessler. Referred to Committee on Education and Cultural Resources.

HB 856, introduced by Vincent. Referred to Committee on Labor and Employment Relations.

HB 857, introduced by Yardley. Referred to Committee on Business and Industry.

HB 858, introduced by Tropila, Meyer, Pistoria, Porter, Fagg, Oberg, Brand, Menahan, Ramirez. Referred to Committee on Taxation.

HB 859, introduced by Brand, (By Request of the Department of Administration). Referred to House Select Committee on Employee Compensation.

HB 860, (introduced by Judiciary Committee), Scully, Chairman. Referred to Committee on Judiciary.

HB 861, introduced by Scully, Gerke. Referred to Committee on Judiciary.

HB 862, introduced by Bennett, (By Request). Referred to Committee on Business and Industry.

HB 863, introduced by Curtiss, Hirsch, Day, Schultz, E. Smith, Manuel, Hafferman, Nathe. Referred to Committee on Agriculture, Livestock and Irrigation.

HB 864, introduced by Daily, Manuel. Referred to Committee on Education and Cultural Resources.

HB 865, introduced by Manning, Hemstad, Meyer. Referred to Committee on Judiciary.

HB 866, introduced by Shelden, Bardanouve, (By Request of the Department of Community Affairs). Referred to Committee on State Administration.

HB 867, introduced by Brand, Menahan, Mehrens. Referred to Committee on Appropriations.

HB 868, introduced by Waldron, Regan. Referred to Committee on Appropriations.

HB 869, introduced by Hirsch, Huennekens, Williams. Referred to Committee on Natural Resources.

HB 870, introduced by Keedy, Conroy, Keyser, Seifert, Scully, Nordtvedt. Referred to Committee on Judiciary.

HB 871, introduced by Waldron. Referred to Committee on Highways and Transportation.

HB 872, introduced by Pistoria. Referred to Committee on Business and Industry.

HJR 47, introduced by Underdal, Keyser, Lien, Stobie, Jensen, Burnett, Hand, Hayne. Referred to Committee on State Administration.

The following Senate bills were introduced, read first time and referred to committees:

SB 109, introduced by Ryan, Rasmussen. Referred to Committee on Human Services.

SB 113, introduced by Graham, (By Request of the Code Commissioner). Referred to Committee on Highways and Transportation.

SB 139, introduced by Hazelbaker, (By Request of the Code Commissioner). Referred to Committee on Business and Industry.

SB 153, introduced by Story, (By Request of the Administrative Code Committee). Referred to Committee on Judiciary.

SB 170, introduced by Rasmussen, B. Brown. Referred to Committee on State Administration.

SB 171, introduced by Lockrem, Rasmussen, Thiessen, Towe. Referred to Committee on State Administration.

SB 175, introduced by Van Valkenburg, Olson, Cooney, Ellis, Bennett, Turnage, Himsl, Towe, B. Brown, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Human Services.

SB 199, introduced by Turnage. Referred to Committee on State Administration.

SB 209, introduced by S. Brown, Thomas, Mehrens, Hazelbaker, Roskie, Turnage, Fasbender, Ryan, Hager. Referred to Committee on Business and Industry.

SB 213, introduced by Blaylock, (By Request of the Secretary of State). Referred to Committee on State Administration.

SB 217, introduced by B. Brown, Turnage, Rasmussen, Stimatz, Ryan. Referred to Committee on Judiciary.

SB 220, introduced by Turnage, (By Request of the State Tax Appeal Board). Referred to Committee on Taxation.

SB 224, introduced by Kolstad, McCallum, Nelson, Aklestad, Olson, Thomas, Norman, Goodover, Ryan. Referred to Committee on Local Government.

SB 225, introduced by Ryan. Referred to Committee on Judiciary.

SB 227, introduced by E. Smith, Kolstad, Galt, Boylan, Aklestad, Conover, McCallum, Severson, Hager, Mathers, Ryan, Stephens. Referred to Committee on Fish and Game.

SB 232, introduced by S. Brown. Referred to Committee on Judiciary.

SB 261, introduced by Turnage, Bardanouve, Himsl, (By Request of the Department of Administration). Referred to Committee on Judiciary.

SB 276, introduced by B. Brown, Dussault, Fasbender, Stephens, M. Anderson, Blaylock, Turnage, Tropila, Fabrega, Scully, Hemstad, Uhde, Ramirez, Regan, Roskie, McCallum, R. Smith, S. Brown, Rasmussen, Stimatz. Referred to Committee on Education and Cultural Resources.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 264 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier,

Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Bennett, Burnett, Jensen, Sivertsen.
Total 4

Absent or not voting: Fabrega, Huennekens, Kessler.
Total 3

House Bill No. 313 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Cooney, Curtiss, Daily, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hemstad, Hirsch, Hurwitz, Iverson, Johnson, Kanduch, Keedy, Kemmis, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Schultz, Scully, Seifert, Shelden, South, Spilker, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Yardley, Mr. Speaker.
Total 74

Noes: Conroy, Dassinger, Ellerd, Hand, Hayne, Johnston, Kropp, Roth, Sales, Smith, Staigmiller, Stobie, Underdal, Wood, Wyrick.
Total 15

Excused: Bennett, Burnett, Jensen, Sivertsen.
Total 4

Absent or not voting: Day, Ellison, Holmes, Huennekens, Kessler, O'Connell, Rosenthal.
Total 7

House Bill No. 422 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: None.

Total 0

Excused: Bennett, Burnett, Jensen, Sivertsen.
Total 4

Absent or not voting: Huennekens, Kessler, Scully.
Total 3

House Bill No. 531 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Cooney, Wood.
Total 2

Excused: Bennett, Burnett, Jensen, Sivertsen.
Total 4

Absent or not voting: Ellison, Huennekens.
Total 2

House Bill No. 551 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Holmes, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 84

Noes: Brand, Cooney, Eudaily, Harper, Hirsch, Hurwitz, Kvaalen, McBride, Menahan, Oberg, Waldron.
Total 11

Excused: Bennett, Burnett, Jensen, Sivertsen.
Total 4

Absent or not voting: Huennekens.
Total 1

House Bill No. 572 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand,

Harper, Harrington, Hirsch, Holmes, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Schultz, Scully, Seifert, Shelden, Smith, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.
Total 83

Noes: Brand, Ellerd, Frates, Hayne, Hemstad, Metcalf, Rosenthal, Sales, Spilker, Uhde, Waldron, Yardley.
Total 12

Excused: Bennett, Burnett, Jensen, Sivertsen.
Total 4

Absent or not voting: Huennekens.
Total 1

House Bill No. 597 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: Ellison.
Total 1

Excused: Bennett, Burnett, Jensen, Sivertsen.
Total 4

Absent or not voting: Huennekens.
Total 1

House Bill No. 608 was passed by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vinger, Wood, Wyrick, Yardley, Mr. Speaker.
Total 82

Noes: Bardanouve, Dassinger, Dussault, Frates, Holmes, Kemmis, Metcalf, Oberg, Vincent, Waldron.
Total 10

Excused: Bennett, Burnett, Jensen, Sivertsen.

Total 4

Absent or not voting: Azzara, Huennekens, Scully, Williams.
Total 4

House Bill No. 666 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: Azzara, Cooney, Frates, Harrington, Johnson.
Total 5

Excused: Bennett, Burnett, Jensen, Sivertsen.
Total 4

Absent or not voting: Huennekens, Scully, Shelden.
Total 3

House Bill No. 668 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Bennett, Burnett, Jensen, Sivertsen.
Total 4

Absent or not voting: Huennekens.
Total 1

House Bill No. 676 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer,

Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: Uhde.
Total 1

Excused: Bennett, Burnett, Jensen, Sivertsen.
Total 4

Absent or not voting: Huennekens.
Total 1

House Bill No. 709 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Bennett, Burnett, Jensen, Sivertsen.
Total 4

Absent or not voting: Huennekens.
Total 1

House Bill No. 738 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Sales, Schultz, Scully, Seifert, Shelden, Smith, South, Spilker, Thoft, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 82

Noes: Iverson, Johnson, Metcalf, Nathe, Nordtvedt, Rosenthal, Staigmiller, Teague, Tropila, Uhde, Wyrick.
Total 11

Excused: Bennett, Burnett, Jensen, Sivertsen.
Total 4

Absent or not voting: Huennekens, Roth, Stobie.
Total 3

House Joint Resolution No. 24 was passed by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Manning, Manuel, Marks, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 87

Noes: Baeth, Dassinger, Gilligan, Magone, Menahan, Nordtvedt, Tropila, Waldron.
Total 8

Excused: Bennett, Burnett, Jensen, Sivertsen.
Total 4

Absent or not voting: Huennekens.
Total 1

House Joint Resolution No. 26 was passed by the following vote:

Ayes: Anderson, Azzara, Bengtson, Bertelsen, Conroy, Curtiss, Daily, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lund, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Schultz, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 81

Noes: Baeth, Bardanouve, Brand, Cooney, Dassinger, Harper, Harrington, Lory, McBride, Metcalf, Oberg, K. Robbins, Roth, Scully.
Total 14

Excused: Bennett, Burnett, Jensen, Sivertsen.
Total 4

Absent or not voting: Huennekens.
Total 1

House Joint Resolution No. 31 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Shelden, South,

Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 86

Noes: Conroy, Fagg, Hurwitz, Kvaalen, Sales, Seifert, Smith, Vinger, Yardley.
Total 9

Excused: Bennett, Burnett, Jensen, Sivertsen.
Total 4

Absent or not voting: Huennekens.
Total 1

MOTIONS

Bardanouve moved that he be allowed to change his vote on HB 608 on Third Reading this day from aye to nay. Motion carried unanimously.

Dussault moved that HB 392 be passed for the day. Motion carried.

Dussault moved that HB 233 be passed for the day. Motion carried.

Scully moved that the rules be temporarily suspended to allow the introduction of a bill, which is a product of two bills that were combined in the Natural Resources Committee.

Moore moved that HB 326 pass consideration for the day.

Quilici moved that the rules be temporarily suspended to allow the introduction of a committee bill from the Business and Industry Committee. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

South in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 278, second reading copy, second printing, be amended as follows: (80-0)

1. Page 1.
Following: line 13
Insert: "(1) For the purposes of this section:

(a) 'Members of the same family' means a group whose membership is determined by including an individual, his spouse, and his parents, children, grandchildren, and the spouses of each.

(b) 'Family business entity' means:

(i) a corporation whose stock is owned solely by members of the same family;

(ii) a partnership in which the partners are all members of the same family;

(iii) an association whose members all are members of the same family; or

(iv) any other entity owned solely by members of the same family."
Renumber: subsequent subsections

2. Page 2, lines 7 through 22.
Strike: lines 7 through 22 in their entirety
Insert: "(A) members of the same family;

(B) a member of one family and the same family's business entity; or

(C) the same family's business entities;"

3. Page 3, lines 4 through 10.
Strike: subsection (2) in its entirety
Renumber: subsequent subsections

And as amended, do pass. (86-1)

That HB 660 do pass. (80-11)

That HB 663, introduced bill, be amended as follows: (89-0)

1. Page 5, line 15.
Following: "amended"
Strike: ", including the operation of a water safety program by the department of fish and game"

2. Page 5, line 16.
Following: "."
Insert: "The department of fish and game, parks division, will expend an amount equivalent to the money received by the department in decal money for the purchase, maintenance, and upgrading of boating facilities."

And as amended, do pass. (59-24)

That HB 667 do pass. Motion failed. (42-52)

That HB 667 do not pass. (56-38)

That HB 671 do pass. Motion failed. (39-52)

That HB 671 do not pass. (55-37)

That HB 678, introduced bill, be amended as follows: (78-7)

1. Page 2, line 21.
Following: "~~including~~"
Strike: "and representatives of public information media"

2. Page 2, line 23.
Following: "~~hearing~~"
Insert: ", except that when the offense charged does not constitute a felony and the court determines a closed hearing to be in the youth's best interest, the general public may be excluded and only such persons as have a direct interest in the case may be admitted"

And as amended, do pass. (73-18)

That HB 693, introduced bill, be amended as follows: (84-0)

1. Title, line 7.
Following: "SECTIONS 7-32-2128"

Insert: ","
Strike: "AND"
Following: "7-32-2144,"
Insert: "AND 46-30-411,"

2. Page 3.
Following: line 10
Insert: "SECTION 3. SECTION 46-30-411, MCA, IS AMENDED TO READ:

'46-30-411. Expenses of bringing fugitives back to this state. (1) When the governor of this state, in the exercise of the authority conferred by section 2, Article IV, of the constitution of the United States or by the laws of this state, demands from the executive authority of any state of the United States or of any foreign government the surrender to the authorities of this state of a fugitive from justice who has been found and arrested in such state or foreign government, the accounts of the person employed by him to bring back such fugitive must be audited by the ~~department of administration~~ attorney general and paid out of the state treasury.

(2) An agent of this state authorized to return a fugitive from justice to this state may utilize commercial transportation, aircraft, or motor vehicle to return the fugitive. The agent shall be paid travel expenses, as provided for in 2-18-501 through 2-18-503, as amended, incurred in returning the fugitive to this state.'"

And as amended, do pass. (87-0)

That HB 697 do pass. (56-26)

That HB 699 do pass. (82-0)

That HB 704 do pass. (73-16)

That HJR 22, introduced bill, be amended as follows: (87-0)

1. Page 2.
Following: line 6
Insert: "BE IT FURTHER RESOLVED, that the Secretary of State is directed to mail copies of this resolution to Governor Thomas L. Judge, Robert F. Wambach, the members of the Fish and Game Commission, and the members of the Landowner Relations/Sportsmen Access Advisory Council."

And as amended, do pass. (88-1)

That HJR 32 do pass. (78-12)

House recessed at 4:10 p.m.

House reconvened at 4:20 p.m.

That HB 274, third reading copy, be amended as follows: (84-5)

1. Page 2, line 5.
Following: "plant"
Insert: "after July 1, 1979"

That HB 274, third reading copy, be further amended as follows: (80-8)

1. Page 2, lines 6 through 9.
Following: "annexation"
Strike: remainder of lines 6 through 9 in their entirety

Insert: "by each person, firm, or corporation within the district desiring to receive such services for the first time. The consent is required as a condition to receiving the services and is binding on each person, firm, or corporation so consenting."

And as amended, do pass. (51-41)

That HB 463, third reading copy, be amended as follows: (86-3)

1. Title, lines 5 through 8.
Following: "DRUGS;"
Strike: remainder of line 5 through "SCHEDULE I;" on line 8

2. Page 3, line 3.
Following: "~~marihuana,~~"
Insert: "marihuana,"

3. Page 3, line 5.
Following: "~~tetrahydrocannabinols,~~"
Insert: "tetrahydrocannabinols,"

4. Page 3, line 6.
Following: "2, 5-dimethoxyamphetamine."
Insert: "If prescription or administration is authorized by the Federal Food, Drug and Cosmetic Act, then any material, compound, mixture, or preparation containing tetrahydrocannabinols shall automatically be rescheduled from Schedule I to Schedule II."

5. Page 3, line 7 through line 19 on page 5.
Strike: section 2 in its entirety

And as amended, do pass. (87-1)

That HJR 15, second reading copy, be amended as follows: (84-2)

1. Page 2.
Following: line 15
Insert: "BE IT FURTHER RESOLVED, that no convention be called until federal statutes be enacted that specifically provide for a process by which the convention be conducted and the manner by which the convention's subject matter may be delineated, restricted, deliberated, and voted upon."

And as amended, be indefinitely postponed. (50-48)

Sivertsen present at this time.

That HB 101 do pass. (65-30)

That HB 230, introduced bill, be amended as follows: (71-0)

1. Page 3, lines 18 through 23.
Strike: subsection (1) in its entirety

2. Page 3, line 24.
Strike: "(2)"
Insert: "(1)"

3. Page 3.
Following: line 25
Insert: "(2) The use of water for the slurry transportation of coal is found not to be a beneficial use of water because such use is detrimental to the conservation and protection of the water resources of the state; because of the shortage of economically available water

within Montana; because such use is detrimental to water quality and is an impairment of an otherwise reusable resource; because such use is adverse to existing reserved water rights and foreseeable future water uses; because the present demands upon water of the state are unquantified; and because of the undetermined hydrological relationships between surface and subsurface water. All of these adverse effects are found to support the prohibition of the use of water for slurry transportation. Further, there presently exist alternative, economical means of transporting coal."

And as amended, do pass. (82-1)

Staigmiller moved that HB 261 pass consideration until the Forty-first Legislative Day. Motion carried.

House recessed at 6:29 p.m.

House reconvened at 6:37 p.m.

That HB 237 do pass. (79-9)

That HB 341 do pass. (87-1)

That HB 383 do pass. (83-0)

That HB 428 do pass. (73-11)

That HB 457 do pass. (77-4)

Fabrega replaced South in the Chair.

That HB 489, introduced bill, be amended as follows: (80-2)

1. Page 1, line 19.
Following: "85-7-2104."
Insert: "A separately owned tract of land unable to receive water may be charged not more than the $5 minimum."

2. Page 4, line 9.
Following: "size."
Insert: "A separately owned tract of land unable to receive water may be charged not more than the $5 minimum."

3. Page 4, line 21.
Following: "$5."
Insert: "A separately owned tract of land unable to receive water may be charged not more than the $5 minimum."

And as amended, do pass. (85-0)

Daily, Quilici, Pavlovich excused at this time.

That HB 528 do pass. (67-31)

Vincent moved that HB 532 pass consideration until the Forty-first Legislative Day. Motion carried.

Wyrick moved that HB 578 pass consideration for the day. Motion carried.

South back in the Chair.

That HB 598 do pass. (82-0)

That HB 621 do pass. (72-12)

That HB 648 do pass. (84-3)

That HB 658 do pass. Motion failed. (21-71)

That HB 658 do not pass. (65-26)

That HB 670 do pass. (86-0)

That HB 674 do pass. (63-21)

Metcalf moved that HB 675 pass consideration until the Forty-first Legislative Day. Motion carried.

That HB 711 do pass. (80-2)

That HB 712 do pass. (75-10)

That HB 718 do pass. (80-0)

Ramirez moved that HB 719 pass consideration for the day. Motion carried.

That HB 730, second reading copy, be amended as follows: (58-29)

1. Title, line 8.
Following: "~~TIMES~~"
Insert: "THREE TIMES"

2. Title, line 9.
Following: "~~TIMES~~"
Insert: "THREE TIMES"

3. Page 2, line 14.
Following: "~~times~~"
Insert: "three times"

And as amended, do pass. (67-22)

That HB 734 do pass. Motion failed. (30-60)

That HB 734 do not pass. (52-36)

That HB 737 do pass. (81-8)

That HB 763 do pass. (87-1)

That HB 813 do pass. (86-2)

That CC on SA to HB 40 be adopted. (66-21)

That SA to HB 69 be concurred in. (85-3)

South moved that the Committee of the Whole Report be deemed read. Motion carried. That the Committee rise and report. (South, Chairman). Bardanouve made a substitute motion that HB 737 be segregated from the Committee of the Whole Report and, as amended, report be adopted. Motion carried. (44-35)

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/17/79

Correctly enrolled - HB 146, HB 183.

Examined by the Sponsor and found to be correct - HB 146, HB 183.

Will be signed by the Speaker on adjournment, 2/17/79 - HB 146, HB 183.

Correctly printed - HB 371, HB 373, HB 458, HB 581, HB 582, HB 619, HB 682, HB 707.

Correctly engrossed - HB 118, HB 190.
Considered correctly engrossed - HB 61, HB 181, HB 219, HB 296, HB 318, HB 349, HB 380, HB 381, HB 399, HB 459, HB 482, HB 618.

Do Pass

BUSINESS AND INDUSTRY (Quilici, Chairman): 2/17/79
HB 412, do pass. Report adopted.
HB 435, introduced bill, be amended as follows:

1. Title, lines 5 through 7.
Following: "CASH"
Strike: "AND TO RAISE THE PERMISSIBLE AMOUNT OF BINGO PRIZES FROM $100 TO $500"
Insert: "; TO CLARIFY THE MEANING OF BINGO; AND TO PROHIBIT CERTAIN DEVICES"

2. Page 1.
Following: line 18
Insert: "SECTION 2. THERE IS A NEW MCA SECTION THAT READS:

Bingo defined. (1) For the purpose of this section, bingo numbers shall be selected manually or by a mechanical device that randomly selects one of a pool of balls that is inscribed with number or symbols on a card.

(2) A mechanical device under subsection (1) must be capable of selecting only one ball when engaged. The ball must then be manually removed. This subsection does not apply to blower-type devices which select balls at random when the number or symbol on the ball is called out by an attendant.

(3) All bingo cards under [this act] must be constructed of paper or cardboard and may not be attached to any number selecting device.

(4) [This act] prohibits:

(a) a slot machine;

(b) a mechanical device that accepts or dispenses coins, paper currency, or tokens;

(c) a mechanical device that does not accept or dispense coins, paper currency, or tokens; or

(d) a device that is operated manually or by remote control for the purpose of circumventing [this act].

Section 3. Codification. It is intended that section 2 be codified as an integral part of Title 23, chapter 5, part 4, and the provisions of Title 23, chapter 5, part 4, apply to section 2."

And as amended, do pass. Report adopted.

HB 779, introduced bill, be amended as follows:

1. Title, line 5.
Following: "ALL-BEVERAGES"
Strike: "BRANCH"

2. Page 1, line 8.

Following: "all-beverages"
Strike: "branch"

3. Page 1, line 11.
Following: line 10
Strike: "branch"
Following: "for"
Insert: "use at"

4. Page 1, line 20.
Following: "made"
Strike: "by a licensee chosen"

5. Page 1, lines 21 and 22.
Following: "airport."
Strike: "The application must be endorsed by the agency owning the airport."

6. Page 1, line 23 through line 3 on page 2.
Following: line 22
Strike: subsection (3) in its entirety
Renumber: subsequent subsections

7. Page 2.
Following: line 11
Insert: "SECTION 2. THERE IS A NEW MCA SECTION THAT READS:

Fee. The fee for one all-beverages license to a public airport shall be $800. This license is nontransferable."
Renumber: subsequent section

8. Page 2, line 2.
Following: line 1
Strike: "branch"

9. Page 2, line 4.
Following: "all-beverages"
Strike: "branch"

10. Page 2, line 12.
Following: "that"
Strike: "section 1"
Insert: "sections 1 and 2"

11. Page 2, line 15.
Following: "to"
Strike: "section 1"
Insert: "sections 1 and 2"

And as amended, do pass. Report adopted.

HB 786, do pass. Report adopted.
HB 791, introduced bill, be amended as follows:

1. Page 2, line 4.
Following: "under"
Strike: "32-2-806"
Insert: "33-2-806"

And as amended, do pass. Report adopted.

STATEMENT OF INTENT RE: House Bill No. 791

A Statement of Intent is required for House Bill 791 in that it delegates rulemaking authority to the commissioner of insurance in section 5.

Although 33-1-313, MCA, delegates to the commissioner of insurance rulemaking authority to effectuate any provision of the code, as House Bill 791 substantively increases this power, a Statement of Intent is required.

Section 5 empowers the commissioner of insurance with the sole authority to regulate the issuance and sale of variable contracts and allows the commissioner to promulgate rules to carry out the provisions of House Bill 791. The commissioner's authority to promulgate rules shall be limited in scope to the following areas:

1. Rules relating to maintaining reserves for guaranteed benefits and funds in a separate account;
2. Rules relating to valuation of assets allocated to a separate account;
3. Rules relating to the transfer of cash or securities among a life insurance company's accounts; and
4. Rules relating to the requirements of doing business under this act.

All rules promulgated under this act are subject to the provisions of the Montana Administrative Procedure Act.

/s/Quilici

EDUCATION AND CULTURAL RESOURCES (Gilligan, Chairman): 2/17/79

HB 453, do pass. Report adopted.

HB 634, introduced bill, be amended as follows: 2/16/79

1. Title, lines 6 and 7.
Following: "LOCAL OFFICIALS;"
Strike: "AUTHORIZING A STATEWIDE PROPERTY TAX LEVY"
Insert: "INCREASING THE COUNTY MILL LEVY"

2. Page 8, line 19.
Following: "exceed"
Strike: "1 mill"
Insert: "2 mills"

3. Page 9, line 2 through line 9.
Strike: subsection (d) in its entirety
Renumber: subsequent subsection

And as amended, do pass. Report adopted.

FISH AND GAME (Staigmiller, Chairman): 2/17/79

HB 145, do pass. Report adopted.

STATEMENT OF INTENT RE: House Bill No. 145

The legislature intends that the change in name of the Fish and Game Department to the name, "Department of Fish, Wildlife, and Parks", pursuant to House Bill 145 be made gradually to avoid unnecessary expenditures. The new name is to be phased in as existing supplies of stationery and other printed material are depleted in the normal course of business and as signs, markers, and other forms of department identification are in need of maintenance or replacement. The legislature intends, however, that the department immediately change the name on its headquarters building in Helena and on its regional office buildings.

/s/Staigmiller

HUMAN SERVICES (Holmes, Chairman): 2/17/79

HB 196, introduced bill, be amended as follows:

1. Title, line 6.
Following: "SERVICES"

Strike: ";"
Insert: "AND"

2. Title, lines 9 and 10.
Following: "council" on line 9
Strike: ";" through "MCA" on line 10

3. Page 1, line 13 through line 8 on page 3.
Strike: section 1 in its entirety
Renumber: subsequent sections

4. Page 3, line 13.
Following: "services"
Insert: "in accordance with merit system and classification requirements"

5. Page 3, line 25.
Following: "shall"
Strike: "include:"
Insert: "be appointed by the governor from names submitted by the administrator of the division of visual services. The majority of the members must be blind or visually handicapped. The advisory council may be structured to meet the requirements of any federal law or regulation concerning community and professional input into the development of programs for the blind and visually impaired."

6. Page 4, lines 1 through 8.
Strike: lines 1 through 8 in their entirety

7. Page 4, lines 10 through 13.
Following: "years."
Strike: remainder of line 10 through line 13 in their entirety

8. Page 4, line 18 through line 17 on page 8.
Strike: sections 4, 5, and 6 in their entirety
Renumber: subsequent sections

9. Page 8, line 20.
Following: "to the"
Insert: "department for the"

10. Page 8, line 21.
Following: "shall"
Strike: "in no case be less than"
Insert: "be established on a line item basis, in the budget of the department, by the legislature. This share may not be reduced by budget amendment between legislative sessions."

11. Page 8, lines 22 through 25.
Strike: lines 22 through 25 in their entirety

12. Page 9, line 1 through line 8 on page 11.
Strike: sections 8, 9, 10, and 11 in their entirety
Renumber: subsequent sections

13. Page 11, line 10.
Following: "The"
Strike: "division of visual services"
Insert: "department"

14. Page 11, line 12.
Following: "The"
Strike: "division"

Insert: "department"

15. Page 11, lines 16 through 25.
Strike: sections 13 and 14 in their entirety
Renumber: subsequent section

16. Page 12, lines 2 through 5.
Strike: lines 2 through 5 in their entirety
Insert: "1 and 2 be codified as an integral part of Title 2, chapter 15, part 22, and the provisions of Title 2, chapter 15, part 22 shall apply to sections 1 and 2. It is intended that sections 3 and 4 be codified as an integral part of Title 53, chapter 7, part 3, and the provisions of Title 53, chapter 7, part 3, apply to sections 3 and 4."

And as amended, do pass. Report adopted.

HB 342, introduced bill, be amended as follows:

1. Title, line 7.
Strike: "ADMINISTRATION OF THE DIVISION OF VISUAL SERVICES"
Insert: "DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES"

2. Page 1, lines 18 through 20.
Following: "(2)"
Strike: remainder of lines 18 through 20 in their entirety
Insert: "'Department' means the department of social and rehabilitation services."

3. Page 1, line 21.
Following: "2."
Strike: "Division"
Insert: "Department"

4. Page 1, line 22.
Following: "The"
Strike: "division"
Insert: "department"

5. Page 1, line 24.
Following: "The"
Strike: "division"
Insert: "department"

6. Page 2, line 3.
Following: "The"
Strike: "division"
Insert: "department"

7. Page 2, line 8.
Following: "The"
Strike: "division"
Insert: "department"

And as amended, do pass. Report adopted.

STATEMENT OF INTENT RE: House Bill No. 342

A Statement of Intent is required for this bill because it amends section 49-4-401, MCA, to give the Department of Social and Rehabilitation Services rulemaking authority that is necessary to enforce the provisions of Title 49, chapter 4, part 4, MCA.

Title 49, chapter 4, part 4, MCA, provides that blind and physically handicapped persons have a first right and preference in the letting of vending concessions in public buildings in Montana. However, there is presently no enforcement mechanism included in the law. HB 342 directs the Department of Social and Rehabilitation Services to develop effective regulations to implement this law. The regulations should be directed toward the process by which vending concessions are let, interaction of vending concessions with rehabilitation programs, and remedies of persons aggrieved by a violation of the law or regulations. Additional rules may be adopted to enforce the law if necessary.

In the development of rules under this law, it is the intent of the Legislature that the Department work with the Division of Visual Services and other appropriate administrative units in the Department to propose and implement the rules.

/s/Holmes

JUDICIARY (Scully, Chairman): 2/17/79

HB 860, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Williams, Chairman): 2/17/79

HB 636, introduced bill, be amended as follows:

1. Title, line 5.
Following: "STATE"
Strike: ","
Insert: "GOVERNMENT POSITIONS"

2. Title, line 6.
Strike: "COUNTY, AND MUNICIPAL ENTITIES"

3. Page 1, line 21.
Following: "means"
Strike: "the amount of income of an individual"
Insert: "an individual or family receiving general assistance or aid to families with dependent children payments"

4. Page 2, lines 1 through 3.
Strike: lines 1 through 3 in their entirety
Insert: "if all other factors are equal, an employment preference must be given any person within the poverty level who applies for a state government position."

5. Page 2.
Following: line 12
Insert: "(4) The provisions of [this act] do not apply to minors."

6. Page 2, line 22.
Following: "2],"
Insert: "the"
Following: "state"
Strike: ", county, and municipal entities or political subdivisions thereof"

7. Page 3, line 1.
Following: "positions"
Insert: ", provided that all other factors are equal"

8. Page 3, line 2.
Following: "(1)"
Strike: "Any citizen"

9. Page 3, lines 3 through 8.
Strike: lines 3 through 8 in their entirety
Insert: "If any person who is entitled to an employment preference in [sections 2 through 4] applies for a state position or who, as an employee of the state in a CETA position, applies for permanent employment and is denied employment and"

And as amended, do pass. Report adopted.

STATE ADMINISTRATION (Brand, Chairman): 2/17/79
HB 179, do pass. Report adopted.
HB 260, do pass. Report adopted.
HB 553, do pass. Report adopted.
HB 567, do pass. Report adopted.
HB 570, do pass. Report adopted.
HB 574, do pass. Report adopted.
HB 593, do pass. Report adopted.

Adverse Committee Reports

BUSINESS AND INDUSTRY (Quilici, Chairman): 2/17/79
HB 764, introduced bill, be amended as follows:

1. Page 2.
Following: line 9
Insert: "SECTION 2. SECTION 33-24-103, MCA, IS AMENDED TO READ:

'33-24-103. Specific valuation - loss equal to insured value alternative methods. (1) This section applies to policies~~, except motor vehicle insurance policies,~~ which insure specific listed items of personal property against any loss or damage, except motor vehicle insurance policies and insurance on a mobile home, trailer home, or modular home unless the mobile home, trailer home, or modular home is:

(a) taxed as real property;

(b) permanently mounted on a foundation with axles and wheels removed; and

(c) connected to utilities including but not limited to sewer, water, electricity, or gas or other fuel.

(2) If the insurer places specific valuations upon particular items of covered property and bases the premium charge on these valuations, then he shall compute any loss or total damage to the property, when covered, at the stated valuation with no deductions or offsets.

(3) An insurer who wishes to vary this requirement and use a different method for computation of loss, the policy, and any application for such a policy shall set forth in type of prominent size the actual method of loss computation to be employed.'"

And as amended, do not pass.

EDUCATION AND CULTURAL RESOURCES (Gilligan, Chairman): 2/17/79
HB 171, do not pass.
HB 624, do not pass.

LOCAL GOVERNMENT (H. Robbins, Chairman): 2/17/79
HB 289, do not pass.

STATE ADMINISTRATION (Brand, Chairman): 2/17/79
HB 49, introduced bill, be amended as follows:

1. Title, line 5.
Following: "5-7-102,"
Insert: "5-7-103,"

2. Title, line 6.
Following: "MCA;"
Insert: "TO CHANGE EXPIRATION DATE OF LOBBY LICENSES;"

3. Title, line 7.
Following: "PERSON"
Strike: "WHO"
Insert: "OR STATE AGENCY WHICH"

4. Title, line 9.
Following: "LEGISLATION"
Insert: "OR EXECUTIVE ACTION"

5. Page 2, line 5.
Following: "legislative"
Insert: "or executive"

6. Page 2, line 6.
Following: "legislative"
Insert: "or administrative"

7. Page 2, lines 7 and 8.
Following: "legislature"
Strike: "or a public official acting in his official capacity"

8. Page 2, line 14.
Following: "legislator"
Insert: "or other public official"

9. Page 2, line 15.
Following: "legislative"
Insert: "or administrative"

10. Page 3, line 2.
Following: "legislature"
Insert: "or administration"

11. Page 3, line 14.
Following: "legislator"
Insert: "or any public official"

12. Page 3, line 16.
Following: "legislature"
Insert: "or the administration"

13. Page 4, line 6.
Following: "legislation"
Insert: "or administrative action"

14. Page 4, line 13.
Following: "legislation"
Insert: "or administrative action"

15. Page 5.
Following: line 3

Insert: "(9) 'Administrative action' means any decision on or proposal, consideration, enactment, defeat, or taking of any rule, regulation, or other official nonministerial action or nonaction by any executive agency or any matter which is within the official jurisdiction of an executive agency."
Renumber: subsequent subsections

16. Page 5, line 7.
Following: "legislative"
Insert: "or administrative"

17. Page 5.
Following: line 18
Insert: "SECTION 3. SECTION 5-7-103, MCA, IS AMENDED TO READ:

'5-7-103. Licenses — fees — eligibility. (1) Any adult of good moral character who is a citizen of the United States and who is otherwise qualified under this chapter may be licensed as a lobbyist. The secretary of state shall provide a license application form. The application form may be obtained in the office of the secretary of state and filed therein. Upon approval of the application by the secretary of state and payment of the license fee of $10 to the secretary of state, a license shall be issued which entitles the licensee to practice lobbying on behalf of one or more principals. Each license shall expire on December 31 of each ~~odd numbered~~ even-numbered year. (Subsections (2) and (3) remain the same.)'"
Renumber: all subsequent sections

18. Page 6, line 7.
Following: "~~week~~"
Strike: "Tuesday following the beginning"
Insert: "day"

19. Page 6, line 8.
Following: "~~every~~"
Strike: "the first"

20. Page 6, line 9.
Strike: line 9 in its entirety
Insert: "each day"

21. Page 7, line 8.
Following: "activity,"
Strike: "no report is required"
Insert: "a report must be filed so stating"

22. Page 7, line 9.
Following: line 8
Strike: "registrant"
Insert: "principal"

23. Page 7, line 10.
Following: "of the"
Strike: "registrant"
Insert: "principal"

24. Page 7, line 11.
Following: "each"
Strike: "registrant"
Insert: "principal"
Following: "legislative"

Insert: "or administrative"

25. Page 7, line 22.
Following: "the"
Strike: "registrant's"
Insert: "principal's"

26. Page 8, line 2.
Following: "expenses;"
Strike: "and"

27. Page 8.
Following: line 2
Insert: "(iv) salary; and"

28. Page 8, line 4.
Following: "of"
Strike: "$25"
Insert: "$10"
Following: "the"
Strike: "registrant"
Insert: "principal"

29. Page 8, line 5.
Following: "the"
Strike: "registrant"
Insert: "principal"

30. Page 8, line 6.
Following: "the"
Strike: "legislature"
Insert: "legislative or executive branch"

31. Page 8, line 12.
Following: "Each"
Strike: "registrant"
Insert: "principal"

32. Page 8, line 18.
Following: "the"
Strike: "legislative auditor"
Insert: "secretary of state"

33. Page 8.
Following: line 18
Insert: "(3) A principal need not file a report concerning any single expenditure of less than $1 for food or beverage.

(4) The secretary of state shall preserve and maintain all reports 6 years from the date of filing the report.

(5) Each contribution or membership fee of $100 or more, in the aggregate, during the preceding 12 months paid to the principal, regardless of whether it was paid solely for the purpose of lobbying, shall be itemized by date, the name and address of the payer, amount, and the issue area for which the contribution was earmarked, if any; also, the aggregate of all such contributions that are less than $100."

And as amended, do not pass.

HB 561, do not pass.
HB 613, do not pass.

On motion by Teague, the Adverse Committee Report on HB 659 was adopted by the following vote: (57-33)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Cooney, Dassinger, Day, Dozier, Dussault, Ellerd, Fagg, Frates, Gesek, Gilligan, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kvaalen, Lien, Lund, McBride, Magone, Manning, Marks, Menahan, Metcalf, Moore, O'Connell, Pistoria, Porter, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Shelden, Smith, Spilker, Staigmiller, Thoft, Tropila, Vincent, Williams, Yardley, Mr. Speaker.
Total 57

Noes: Conroy, Curtiss, Donaldson, Ellison, Ernst, Eudaily, Fabrega, Feda, Gould, Hand, Harper, Hayne, Keyser, Kropp, Lory, Manuel, Meyer, Nathe, Nordtvedt, Oberg, Ramirez, Sales, Schultz, Seifert, Sivertsen, South, Stobie, Teague, Uhde, Underdal, Vinger, Wood, Wyrick.
Total 33

Excused: Bennett, Burnett, Daily, Jensen, Pavlovich, Quilici.
Total 6

Absent or not voting: Ellis, Harrington, Scully, Waldron.
Total 4

On motion by Teague, the Adverse Committee Report on HB 726 was adopted by the following vote: (72-17)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Conroy, Cooney, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Lien, Lory, Lund, McBride, Magone, Manning, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Shelden, Sivertsen, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Williams, Wood, Yardley, Mr. Speaker.
Total 72

Noes: Curtiss, Ellison, Ernst, Feda, Hurwitz, Kropp, Kvaalen, Manuel, Nathe, Sales, Schultz, Seifert, Smith, South, Underdal, Vinger, Wyrick.
Total 17

Excused: Bennett, Burnett, Daily, Jensen, Pavlovich, Quilici.
Total 6

Absent or not voting: Ellis, Harrington, Keedy, Scully, Waldron.
Total 5

On motion by Vincent, the Adverse Committee Report on HB 728 was adopted by the following vote: (68-13)

Ayes: Anderson, Baeth, Bengtson, Bertelsen, Brand, Conroy, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ernst, Eudaily, Fagg, Feda, Frates, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, McBride, Magone, Manning, Marks, Menahan, Metcalf, Meyer, Moore, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Uhde, Underdal, Vincent, Williams, Wood, Wyrick, Yardley.

Total 68

Noes: Cooney, Gesek, Gould, Lien, Manuel, Nathe, Oberg, O'Connell, Stobie, Teague, Tropila, Vinger, Mr. Speaker.
Total 13

Excused: Bennett, Burnett, Daily, Jensen, Pavlovich, Quilici.
Total 6

Absent or not voting: Azzara, Bardanouve, Ellis, Ellison, Fabrega, Gilligan, Hand, Harrington, Nordtvedt, Scully, Smith, Thoft, Waldron.
Total 13

On motion by Vincent, the Adverse Committee Report on HB 794 was adopted by the following vote: (70-19)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Conroy, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Menahan, Meyer, Moore, Nordtvedt, O'Connell, Pistoria, Porter, Ramirez, Reichert, Rosenthal, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Thoft, Tropila, Vincent, Williams, Wood, Wyrick.
Total 70

Noes: Cooney, Ellison, Holmes, Manuel, Marks, Metcalf, Nathe, Oberg, H. Robbins, K. Robbins, Roth, Sales, Spilker, Teague, Uhde, Underdal, Vinger, Yardley, Mr. Speaker.
Total 19

Excused: Bennett, Burnett, Daily, Jensen, Pavlovich, Quilici.
Total 6

Absent or not voting: Ellis, Harrington, Keedy, Scully, Waldron.
Total 5

Waldron, Kemmis, Reichert, Kessler, Harper, Oberg, Frates, McBride, Rosenthal, Huennekens objected that HB 49 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

MOTIONS

Manning moved that he be allowed to change his vote on HB 528 on Second Reading this day from aye to nay. Motion carried unanimously.

REPORTS OF STANDING COMMITTEES

Adverse Committee Reports

LABOR AND EMPLOYMENT RELATIONS (Williams, Chairman):
2/17/79

HB 540, do not pass.
HB 750, do not pass.

Ellerd, Wyrick, Seifert, Burnett, Moore, Conroy, Sales, Smith, Hurwitz, Meyer objected that HB 540 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

MOTIONS

Ellerd moved that he be allowed to change his vote on HB 101 on Second Reading this day from aye to nay. Motion carried unanimously.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 880, introduced by Kemmis, Palmer, Kessler, Lory, Reichert, Gilligan, Oberg. Referred to Committee on Education and Cultural Resources.

HB 881, (introduced by Business and Industry Committee), Quilici, Chairman. Referred to Committee on Business and Industry.

MOTIONS

Dussault moved that HB 392 be taken from Second Reading and referred to the Committee on Local Government. Motion carried.

Dussault moved that the House adjourn until 2:30 p.m., February 19, 1979.

Motion carried.

House adjourned at 9:02 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

FORTY-FIRST LEGISLATIVE DAY

Helena, Montana
February 19, 1979

House Chambers
Capitol Building

House convened at 2:37 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Thirty-seventh Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/19/79

Considered correctly engrossed - HB 101, HB 234, HB 237, HB 341, HB 383, HB 428, HB 439, HB 457, HB 485, HB 486, HB 488, HB 499, HB 500, HB 516, HB 528, HB 543, HB 598, HB 621, HB 642, HB 648, HB 660, HB 670, HB 674, HB 697, HB 699, HB 704, HB 711, HB 712, HB 718, HB 763, HB 813, HJR 32.

Correctly engrossed - HB 46, HB 235, HB 274, HB 463, HB 673, HB 678, HB 693, HB 730.

Correctly printed - HB 145, HB 435, HB 537, HB 589, HB 638, HB 688, HB 713.

Correctly enrolled - HB 30.

Signed by the Speaker on adjournment, 2/17/79 - HB 62, HB 66, HB 146, HB 183.

Delivered to the Governor for his approval at 10:00 a.m., 2/19/79 - HB 7, HB 8, HB 28, HB 29, HB 31, HB 42, HB 97, HB 168.

Do Pass

SELECT COMMITTEE ON EMPLOYEE COMPENSATION (South, Chairman): 2/16/79

HB 437, introduced bill, be amended as follows:

1. Page 1.
Following: line 20
Insert: "(1) 'Advisory council' means the state employee group benefits advisory council provided for in [section 3 of this act]."
Renumber: subsequent subsections

2. Page 2.
Following: line 2
Insert: "SECTION 3. THERE IS A NEW MCA SECTION THAT READS:

State employee group benefit advisory council to be created — composition. (1) The department shall create a state employee group benefits advisory council under 2-15-122.

(2) The members of the advisory council shall be selected from a diverse group in order to adequately represent the interests of state employees.

SECTION 4. THERE IS A NEW MCA SECTION THAT READS:

Functions of advisory council. (1) The department shall meet and consult with the advisory council before negotiating, contracting, or otherwise modifying state employee group benefit plans.

(2) The advisory council shall meet quarterly to review the existing state employee group benefit plans, to review claims problems, and to advise the department on state employee group benefit matters."

Renumber: subsequent sections

3. Page 6, line 7.
Following: "Codification."
Insert: "(1)"
Following: "Sections 1"
Insert: ", 2, and 4"
Following: "through"
Strike: "8"
Insert: "10"

4. Page 6, line 10.
Following: "part 8,"
Strike: "of this act"
Following: "sections 1"
Insert: ", 2, and 4"

5. Page 6, line 11.
Following: "through"
Strike: "8"
Insert: "10"

6. Page 6.
Following: line 11
Insert: "(2) Section 3 of this act is intended to be codified in Title 2, chapter 15, part 10."

And as amended, do pass. Report adopted.

Adverse Committee Reports

On motion by Day, the Adverse Committee Report on HB 677 was adopted by the following vote: (79-11)

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Hand, Harper, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Williams, Wood, Yardley, Mr. Speaker.
Total 79

Noes: Gould, Harrington, Hayne, Holmes, Manuel, Nordtvedt, Pavlovich, Sales, Stobie, Vinger, Wyrick.
Total 11

Excused: None.
Total 0

Absent or not voting: Azzara, Burnett, Ellerd, Ellison, Fagg, Pistoria, Scully, Seifert, Shelden, Waldron.
Total 10

Marks, Moore, Ramirez, Thoft, Seifert, Anderson, Porter, Meyer, Sivertsen, Keyser objected that HB 624 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

Johnson, Yardley, H. Robbins, Gesek, Ellis, Burnett, Bengtson, Manuel, Day, Kemmis objected that HB 700 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

MESSAGES FROM THE GOVERNOR

The Honorable Harold Gerke 2/19/79
Speaker of the House
Montana State House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that I have signed the following measures this date.

House Bill Nos. 18, 22, 167, and 218

Sincerely,

Thomas L. Judge
Governor

MESSAGES FROM THE OTHER HOUSE

Senate Bills passed as amended and transmitted to the House for concurrence: 2/17/79

Senate Bill No. 99, introduced by Goodover, Fabrega, et al

Senate Bill No. 250, introduced by Turnage

Senate Bill No. 268, introduced by Lowe

Senate Bill No. 278, introduced by Thomas, Dussault, Rosenthal, et al

Senate Bill No. 287, introduced by Towe, Goodover, et al

Senate Bill No. 293, introduced by Thomas

Senate Bill No. 314, introduced by Conover

Senate Bill No. 320, introduced by Story, Manley, et al

Senate Bill No. 323, introduced by E. Smith, Stephens, et al

Senate Bill No. 345, introduced by Towe

Senate Bill No. 374, introduced by Van Valkenburg

Senate Bill No. 407, introduced by Blaylock

House Bill concurred in and returned to the House: 2/17/79

House Bill No. 37, introduced by Hand

Senate Bills passed and transmitted to the House for concurrence: 2/17/79

Senate Bill No. 280, introduced by Hazelbaker, Kolstad, et al

Senate Bill No. 306, introduced by McCallum

Senate Bill No. 325, introduced by S. Brown

Senate Bill No. 337, introduced by Conover

Senate Bill No. 342, introduced by E. Smith, Etchart

Senate Bill No. 350, introduced by McCallum

Senate Bill No. 355, introduced by Stimatz

Senate Bill No. 367, introduced by Van Valkenburg

Senate Bill No. 379, introduced by Graham

Senate Bill No. 410, introduced by Etchart, Conover, et al

MOTIONS

Dussault moved that HB 859 be rereferred from the Select Committee on Employee Compensation to the Committee on State Administration. Motion carried.

Dussault moved that the rules be suspended to allow a Statement of Intent to be attached to HB 813. Motion carried.

Dussault moved that HB 813 be taken from Third Reading and sent to Engrossing. Motion carried.

Dussault moved that HB 847 and HJR 46 be rereferred from the Committee on State Administration to the Committee on Rules. Motion carried.

Dussault moved that HB 866 be rereferred from the Committee on State Administration to the Committee on Taxation. Motion carried.

Dussault moved that HB 839 be rereferred from the Committee on Judiciary to the Committee on Taxation. Motion carried.

O'Connell moved that the House reconsider its action on the Fortieth Legislative Day on Second Reading in failing to pass HJR 15. Motion carried. (52-44)

Scully moved that the rules be suspended for the purpose of allowing him to introduce a bill that deals with insurance investments because the drafting request for the bill was misplaced in the Legislative Council and missed the deadline. Motion carried. (95-0)

Manning moved that HB 540 be taken from Second Reading and referred to the Committee on Labor and Employment Relations. Motion carried.

Dussault moved that the rules be temporarily suspended to allow bills reported out of Engrossing this day to be placed on Third Reading. Motion carried. (89-1)

Hirsch moved that HB 869 be rereferred from the Committee on Natural Resources to the Committee on Taxation. Motion carried.

Curtiss moved that HB 717 be passed for the day. Motion carried.

Gould moved that HB 725 be rereferred from the Committee on Human Services to the Committee on Taxation. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 873, (introduced by House Committee on Taxation), Huennekens, Chairman, Fabrega. Referred to Committee on Taxation.

HB 874, introduced by Yardley, Lund, (By Request of the House Appropriations Committee). Referred to Committee on Appropriations.

HB 875, introduced by Kanduch. Referred to Committee on Natural Resources.

HB 876, introduced by Tropila. Referred to Committee on Business and Industry.

HB 877, introduced by Keedy, Seifert, Conroy, Scully, Fabrega, Nordtvedt, Marks, Fagg, Porter, Donaldson, Feda, Ellison, Staigmiller, Underdal, Pavlovich, Baeth, Hemstad, Meyer, C. Smith, Day, Stobie, Kvaalen, Hayne, Eudaily, Magone, Kanduch, Curtiss, Pistoria, K. Robbins, Frates, Dozier, Manuel, Gould, Manning, Sales, Uhde. Referred to Committee on Judiciary.

HB 878, introduced by Keedy, Conroy, Keyser, Seifert, Pistoria, Nordtvedt, Fabrega, Fagg, Porter, Spilker, Manning, Staigmiller, Hemstad, Underdal, Pavlovich, Curtiss, Frates, Manuel, Gould, C. Smith, Sales, Uhde, Baeth, Day. Referred to Committee on Judiciary.

HB 879, (introduced by Committee on Judiciary), Scully, Chairman. Referred to Committee on Judiciary.

HB 882, introduced by Kemmis, Holmes, Vincent, Metcalf. Referred to Committee on Taxation.

HJR 48, introduced by Day, (By Request of Select Water Committee). Referred to House Select Committee on Water.

The following Senate bills were introduced, read first time and referred to committees:

SB 99, introduced by Goodover, Fabrega, Moore, Turnage, O'Connell, Mathers, Graham, Nathe, Menahan, Metcalf, Rosenthal, Gilligan, Roth, Ryan, Scully, Staigmiller, Manuel, Meyer, Kolstad, (By Request of the Revenue Oversight Committee). Referred to Committee on Taxation.

SB 250, introduced by Turnage. Referred to Committee on Judiciary.

SB 268, introduced by Towe. Referred to Committee on Business and Industry.

SB 278, introduced by Thomas, Dussault, Rosenthal, O'Connell, Meyer, Fabrega, Van Valkenburg, Tropila. Referred to Committee on Judiciary.

SB 280, introduced by Hazelbaker, Kolstad, Stephens, E. Smith, Lensink, Turnage, Nelson, Aklestad, McCallum, Boylan, Roth, Iverson, Johnston. Referred to Committee on Labor and Employment Relations.

SB 287, introduced by Towe, Goodover, Lowe, Quilici. Referred to Committee on State Administration.

SB 293, introduced by Thomas. Referred to Committee on Judiciary.

SB 306, introduced by McCallum, (By Request of the Code Commissioner). Referred to Committee on Local Government.

SB 314, introduced by Conover, (By Request of the Code Commissioner). Referred to Committee on Local Government.

SB 320, introduced by Story, Manley, Healy, Thiessen. Referred to Committee on Natural Resources.

SB 323, introduced by E. Smith, Stephens, Kolstad, Nelson, Aklestad, Thiessen, Dover. Referred to Committee on Natural Resources.

SB 325, introduced by S. Brown, (By Request of the Department of Revenue). Referred to Committee on Taxation.

SB 337, introduced by Conover, (By Request of the Code Commissioner). Referred to Committee on Local Government.

SB 342, introduced by E. Smith, Etchart. Referred to Committee on Fish and Game.
SB 345, introduced by Towe. Referred to Committee on Judiciary.
SB 350, introduced by McCallum, (By Request of the Code Commissioner). Referred to Committee on Local Government.
SB 355, introduced by Stimatz, (By Request of the Attorney General). Referred to Committee on Judiciary.
SB 367, introduced by Van Valkenburg. Referred to Committee on Judiciary.
SB 374, introduced by Van Valkenburg. Referred to Committee on Judiciary.
SB 379, introduced by Graham, (By Request of the Code Commissioner). Referred to Committee on State Administration.
SB 407, introduced by Blaylock. Referred to Committee on Agriculture, Livestock and Irrigation.
SB 410, introduced by Etchart, Conover, McCallum, Nelson. Referred to House Select Committee on Water.

REPORTS OF STANDING COMMITTEES

Do Pass

RULES (Dussault, Chairman): 2/19/79
HB 174, introduced bill, be amended as follows:

1. Page 1, line 19.
Following: "days in"
Strike: "odd"
Insert: "even"

2. Page 1, line 20.
Following: "than"
Strike: "40"
Insert: "60"

3. Page 1, line 20.
Following: "days in"
Strike: "even"
Insert: "odd"

4. Page 1, line 21.
Following: "session in"
Strike: "even"
Insert: "odd"

5. Page 2, line 6.
Strike: "1980"
Insert: "1981"

6. Page 2, line 9.
Following: "November"
Strike: "6, 1979"
Insert: "4, 1980"

And as amended, do pass. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 61 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Seifert, Sivertsen, South, Spilker, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.
Total 81

Noes: Daily, Ellerd, Eudaily, Lory, Moore, O'Connell, Roth, Smith.
Total 8

Excused: None.
Total 0

Absent or not voting: Bennett, Burnett, Conroy, Harrington, Oberg, Pistoria, Shelden, Staigmiller, Thoft, Wyrick, Yardley.
Total 11

House Bill No. 118 was passed by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 82

Noes: Anderson, Daily, Hayne, McBride, Manuel, Pistoria, Roth, Seifert, Smith, Stobie.
Total 10

Excused: None.
Total 0

Absent or not voting: Bennett, Ellison, Frates, Johnston, Keedy, Pavlovich, K. Robbins, Thoft.
Total 8

House Bill No. 190 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.

Total 89

Noes: Conroy, Holmes, Pistoria, Roth, Seifert, Smith, Staigmiller.
Total 7

Excused: None.
Total 0

Absent or not voting: Bennett, Kanduch, Thoft, Wyrick.
Total 4

House Bill No. 219 was passed by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lien, Lund, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, O'Connell, Pavlovich, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Seifert, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 78

Noes: Azzara, Bardanouve, Dassinger, Dussault, Frates, Harper, Holmes, Johnson, Kemmis, McBride, Metcalf, Nordtvedt, Oberg, Reichert, Roth, Scully, Shelden, Smith, Vincent, Waldron.
Total 20

Excused: None.
Total 0

Absent or not voting: Lory, Pistoria.
Total 2

House Bill No. 296 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

House Bill No. 318 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

House Bill No. 349 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: Holmes, Oberg.
Total 2

Excused: None.
Total 0

Absent or not voting: Vinger.
Total 1

House Bill No. 380 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde,

Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Donaldson.
Total 1

House Bill No. 381 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Brand, Conroy, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Sivertsen, South, Spilker, Stobie, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 85

Noes: Bengtson, Bertelsen, Burnett, Curtiss, Ellison, Frates, Nordtvedt, Roth, Seifert, Smith, Staigmiller, Teague.
Total 12

Excused: None.
Total 0

Absent or not voting: Cooney, Shelden, Thoft.
Total 3

House Bill No. 399 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: Bennett, Marks, Roth, Smith, Thoft.
Total 5

Excused: None.
Total 0

Absent or not voting: None.
Total 0

House Bill No. 431 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: Hayne, Seifert, Smith, Stobie, Underdal.
Total 5

Excused: None.
Total 0

Absent or not voting: Burnett.
Total 1

House Bill No. 459 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 99

Noes: Brand.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

House Bill No. 482 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South,

Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Holmes, Marks.
Total 2

House Bill No. 568 failed to pass by the following vote:

Ayes: Baeth, Bennett, Brand, Cooney, Daily, Dassinger, Dozier, Dussault, Ellerd, Ellis, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Harper, Harrington, Hirsch, Holmes, Huennekens, Kanduch, Keedy, Kemmis, Kessler, Lory, McBride, Manning, Manuel, Menahan, Metcalf, Nordtvedt, Oberg, Pavlovich, Quilici, K. Robbins, Rosenthal, Sales, Scully, Shelden, Teague, Tropila, Vincent, Waldron, Williams, Mr. Speaker.
Total 46

Noes: Anderson, Azzara, Bardanouve, Bengtson, Bertelsen, Burnett, Conroy, Curtiss, Day, Donaldson, Ellison, Ernst, Fabrega, Gould, Hand, Hayne, Hemstad, Hurwitz, Iverson, Jensen, Johnson, Johnston, Keyser, Kropp, Kvaalen, Lien, Lund, Magone, Marks, Meyer, Moore, Nathe, O'Connell, Pistoria, Porter, Ramirez, Reichert, H. Robbins, Roth, Schultz, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Thoft, Uhde, Underdal, Vinger, Wood, Wyrick, Yardley.
Total 53

Excused: None.
Total 0

Absent or not voting: South.
Total 1

House Bill No. 594 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Nordtvedt.
Total 1

House Bill No. 605 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 75

Noes: Burnett, Donaldson, Ellerd, Ellison, Feda, Hayne, Hurwitz, Iverson, Keyser, Kropp, Kvaalen, Marks, Metcalf, Moore, Nordtvedt, Roth, Sales, Smith, Stobie, Thoft, Underdal, Vinger, Wood, Wyrick.
Total 24

Excused: None.
Total 0

Absent or not voting: Seifert.
Total 1

House Bill No. 618 was passed by the following vote:

Ayes: Anderson, Azzara, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lien, McBride, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.
Total 80

Noes: Baeth, Bardanouve, Bennett, Dussault, Ellis, Frates, Gesek, Harper, Holmes, Huennekens, Kemmis, Lory, Lund, Metcalf, Oberg, Reichert, Waldron, Yardley.
Total 18

Excused: None.
Total 0

Absent or not voting: Sales, Shelden.
Total 2

House Bill No. 739 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South,

Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: Hayne, Smith.
Total 2

Excused: None.
Total 0

Absent or not voting: Ellis.
Total 1

Conference Committee Report on Senate Amendments to House Bill No. 40 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 83

Noes: Cooney, Ellison, Fabrega, Harper, Johnson, Keedy, Marks, Meyer, Moore, Nathe, Sales, Smith, Uhde, Vinger, Wood, Wyrick.
Total 16

Excused: None.
Total 0

Absent or not voting: Holmes.
Total 1

Senate Amendments to House Bill No. 69 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: Keedy, Uhde.
Total 2

Excused: None.
Total 0

Absent or not voting: Pavlovich, Sales, Sivertsen.

Total 3

House Bill No. 101 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bertelsen, Brand, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, Rosenthal, Schultz, Scully, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Yardley, Mr. Speaker.
Total 69

Noes: Bengtson, Bennett, Burnett, Conroy, Curtiss, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Feda, Hand, Hurwitz, Kropp, Kvaalen, Lien, Lory, Nathe, Nordtvedt, H. Robbins, K. Robbins, Roth, Sales, Seifert, Shelden, Sivertsen, Smith, Staigmiller, Underdal, Wood, Wyrick.
Total 31

Excused: None.
Total 0

Absent or not voting: None.
Total 0

House Bill No. 234 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Azzara, Fabrega, Nordtvedt, South.
Total 4

House Bill No. 237 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Burnett, Conroy, Curtiss, Daily, Day, Donaldson, Dozier, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie,

Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley.
Total 85

Noes: Brand, Cooney, Dassinger, Dussault, Harrington, Holmes, Kemmis, McBride, Nathe, Reichert, Waldron, Mr. Speaker.
Total 12

Excused: None.
Total 0

Absent or not voting: Bertelsen, Ellerd, Feda.
Total 3

House Bill No. 341 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Burnett, Roth, Seifert, Smith, Vinger.
Total 5

Excused: None.
Total 0

Absent or not voting: Bengtson, Day, Porter, Staigmiller.
Total 4

House Bill No. 383 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Bennett.

Total 1

House Bill No. 428 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Curtiss, Daily, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 86

Noes: Brand, Burnett, Cooney, Dassinger, Dussault, Harper, Harrington, Johnson, McBride, Manning, Oberg, Scully, Smith.
Total 13

Excused: None.
Total 0

Absent or not voting: Feda.
Total 1

House Bill No. 439 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Brand, Burnett, Frates, Hayne, Seifert, Smith, Stobie, Thoft.
Total 8

Excused: None.
Total 0

Absent or not voting: Ellison, Feda.
Total 2

House Bill No. 457 was passed by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully,

Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: Burnett.
Total 1

Excused: None.
Total 0

Absent or not voting: Azzara, Bardanouve, Bertelsen, Feda, Stobie.
Total 5

House Bill No. 485 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 95

Noes: Bardanouve.
Total 1

Excused: None.
Total 0

Absent or not voting: Feda, O'Connell, South, Yardley.
Total 4

House Bill No. 486 was passed by the following vote:

Ayes: Anderson, Azzara, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Kanduch, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 80

Noes: Baeth, Bardanouve, Brand, Dassinger, Day, Dozier, Dussault, Frates, Harper, Hemstad, Johnson, Johnston, Kemmis, Roth, Seifert, Staigmiller, Uhde.
Total 17

Excused: None.
Total 0

Absent or not voting: Feda, Porter, Smith.
Total 3

House Bill No. 488 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Feda, Jensen.
Total 2

House Bill No. 499 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 79

Noes: Burnett, Conroy, Curtiss, Ellerd, Ernst, Feda, Hurwitz, Keyser, Kvaalen, Moore, Nathe, Roth, Sales, Schultz, Smith, Stobie, Underdal, Vinger, Wood, Wyrick.
Total 20

Excused: None.
Total 0

Absent or not voting: Nordtvedt.
Total 1

House Bill No. 500 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell,

Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

House Bill No. 516 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Feda, Stobie.
Total 2

House Bill No. 528 was passed by the following vote:

Ayes: Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Manuel, Marks, Meyer, Moore, Nathe, Nordtvedt, Oberg, Porter, Ramirez, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, South, Spilker, Stobie, Thoft, Uhde, Underdal, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 68

Noes: Anderson, Baeth, Brand, Cooney, Daily, Dassinger, Donaldson, Dozier, Frates, Gilligan, Gould, Harrington, Keedy, Kemmis, McBride, Magone, Manning, Menahan, Metcalf, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, Shelden, Smith, Staigmiller, Teague, Tropila, Vincent, Waldron.
Total 32

Excused: None.
Total 0

Absent or not voting: None.
Total 0

House Bill No. 543 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Conroy, Curtiss, Ernst, Jensen, Roth, Sales, Seifert, Staigmiller.
Total 8

Excused: None.
Total 0

Absent or not voting: Ellerd, Kanduch.
Total 2

House Bill No. 598 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: Keyser, Lund, Smith.
Total 3

Excused: None.
Total 0

Absent or not voting: Nordtvedt, Scully.
Total 2

House Bill No. 621 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert,

H. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, South, Spilker, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 82

Noes: Burnett, Ellerd, Hayne, Hurwitz, Kanduch, Keyser, Kvaalen, K. Robbins, Roth, Seifert, Sivertsen, Smith, Staigmiller, Stobie, Thoft, Underdal, Vinger, Wood.
Total 18

Excused: None.
Total 0

Absent or not voting: None.
Total 0

House Bill No. 642 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Brand, Cooney, Dassinger, Dozier, Dussault, Ellis, Ernst, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Johnson, Kanduch, Kemmis, Kessler, Kropp, Kvaalen, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pistoria, Ramirez, Reichert, Rosenthal, Sales, Schultz, Seifert, Shelden, Sivertsen, South, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Williams, Wyrick, Yardley.
Total 62

Noes: Bengtson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Daily, Day, Donaldson, Ellerd, Ellison, Eudaily, Feda, Hand, Hurwitz, Iverson, Jensen, Johnston, Keedy, Keyser, Lien, Lory, Lund, Pavlovich, Porter, Quilici, H. Robbins, K. Robbins, Roth, Scully, Smith, Spilker, Staigmiller, Thoft, Vinger, Waldron, Wood, Mr. Speaker.
Total 38

Excused: None.
Total 0

Absent or not voting: None.
Total 0

House Bill No. 648 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

House Bill No. 660 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Marks, Menahan, Metcalf, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Shelden, Sivertsen, South, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 86

Noes: Donaldson, Ellison, Hemstad, Manuel, Meyer, Moore, Porter, Roth, Seifert, Smith, Spilker, Stobie.
Total 12

Excused: None.
Total 0

Absent or not voting: Hirsch, Scully.
Total 2

House Bill No. 670 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Ellison.
Total 1

House Bill No. 674 was passed by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Oberg, Pavlovich, Pistoria, Porter, Quilici, Ramirez,

Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 82

Noes: Anderson, Bengtson, Curtiss, Eudaily, Hayne, Jensen, Johnson, Keedy, Lien, Lund, Marks, Nathe, Smith, Stobie, Thoft, Wyrick.
Total 16

Excused: None.
Total 0

Absent or not voting: Nordtvedt, O'Connell.
Total 2

House Bill No. 697 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 83

Noes: Curtiss, Ellerd, Ellison, Ernst, Hayne, Hurwitz, Keyser, Kropp, Kvaalen, Nathe, Nordtvedt, Roth, Schultz, Vinger, Wood, Wyrick.
Total 16

Excused: None.
Total 0

Absent or not voting: Moore.
Total 1

House Bill No. 699 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

House Bill No. 704 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Conroy, Cooney, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, McBride, Magone, Marks, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 78

Noes: Bertelsen, Brand, Burnett, Curtiss, Day, Ellison, Feda, Hayne, Manning, Manuel, Moore, Nordtvedt, K. Robbins, Seifert, Smith, Staigmiller, Stobie, Underdal, Vinger, Wyrick.
Total 20

Excused: None.
Total 0

Absent or not voting: Lien, Thoft.
Total 2

House Bill No. 711 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: Brand, Day.
Total 2

Excused: None.
Total 0

Absent or not voting: Jensen, Spilker.
Total 2

House Bill No. 712 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria,

Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Brand, Hayne, Roth, Staigmiller, Stobie, Underdal.
Total 6

Excused: None.
Total 0

Absent or not voting: Ellerd, Ellison, Smith.
Total 3

House Bill No. 763 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley.
Total 97

Noes: Brand.
Total 1

Excused: None.
Total 0

Absent or not voting: Jensen, Mr. Speaker.
Total 2

House Bill No. 46 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Dassinger, Day, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Sales, Schultz, Scully, Shelden, South, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Yardley, Mr. Speaker.
Total 73

Noes: Burnett, Curtiss, Daily, Donaldson, Ellerd, Ellison, Gould, Hemstad, Iverson, Jensen, Kanduch, Marks, Moore, Nordtvedt, Pavlovich, Pistoria, Roth, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Underdal, Wood, Wyrick.
Total 26

Excused: None.
Total 0

Absent or not voting: Rosenthal.
Total 1

House Bill No. 235 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Huennekens, Hurwitz, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Marks, Menahan, Metcalf, Meyer, Nordtvedt, Oberg, O'Connell, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 78

Noes: Daily, Feda, Gilligan, Hirsch, Iverson, Johnston, Keyser, Manuel, Moore, Nathe, Pavlovich, Pistoria, H. Robbins, Seifert, Smith, Staigmiller, Stobie, Teague, Thoft, Tropila, Vinger, Yardley.
Total 22

Excused: None.
Total 0

Absent or not voting: None.
Total 0

House Bill No. 673 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: Curtiss, Jensen, Nordtvedt, Sales, Stobie.
Total 5

Excused: None.
Total 0

Absent or not voting: None.
Total 0

House Joint Resolution No. 32 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Kemmis, Kessler, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz,

Scully, Sivertsen, South, Spilker, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 76

Noes: Curtiss, Day, Ellison, Ernst, Feda, Harper, Hirsch, Jensen, Keedy, Kropp, Kvaalen, Nathe, Nordtvedt, Reichert, Roth, Seifert, Smith, Stobie, Thoft, Vinger, Wyrick.
Total 21

Excused: None.
Total 0

Absent or not voting: Eudaily, Keyser, Shelden.
Total 3

MOTIONS

Dussault moved that the rules be temporarily suspended to allow bills this day reported out of committee without amendment to be placed on Second Reading for the Forty-second Legislative Day. Motion carried.

Lien moved that HJR 15 be placed at the top of the Second Reading Board this day. Motion carried. (78-7)

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Yardley in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

O'Connell moved that HJR 15 pass consideration for the day. Motion carried. (71-18)

That HB 233 do pass. (77-1)

That HB 261 do pass. Motion failed. (32-65)

That HB 261 do not pass. (70-26)

That HB 326, second reading copy, be amended as follows: (84-0)

1. Page 1, lines 24 and 25.
Following: "VEHICLE"
Strike: ", EXCEPT FOR MOTOR VEHICLES EQUIPPED OR PROVIDED IN SUBSECTION (4)"

2. Page 2, lines 8 through 12.
Following: "(4)"
Strike: remainder of line 8 through "HIGHWAY OR" on page 12

And as amended, do pass. Motion failed. (22-68)

That HB 326, as amended, do not pass. (72-16)

That HB 532, introduced bill, be amended as follows: (80-1)

1. Title, line 8.
Following: "THE"

Strike: "SUPERINTENDENT OF PUBLIC INSTRUCTION"
Insert: "COUNTY SUPERINTENDENT OF SCHOOLS"

2. Page 1, line 23.
Following: "the"
Strike: "superintendent of public instruction"
Insert: "county superintendent of schools"

3. Page 2, line 3.
Following: "2."
Strike: "Superintendent of public instruction"
Insert: "The county superintendent"

4. Page 2, line 6.
Strike: "the superintendent of public instruction"
Insert: "that county superintendent"

5. Page 3.
Following: line 23
Insert: "(4) Cost incurred by the office of the county superintendent shall be borne by the county in which the hearing occurred."

And as amended, do pass. (81-1)

That HB 578 do pass. (96-0)

Moore moved that HB 632 pass consideration for the day. Motion carried.

That HB 675 do pass. (74-13)

That HB 719 do pass. (86-3)

That HB 737 do pass. (71-25)

That HB 179 do pass. (90-2)

Yardley moved that the Committee of the Whole Report be deemed read. Motion carried.

That the Committee rise and report and beg leave to sit again. (Yardley, Chairman). Report adopted. (84-0)

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/19/79
Correctly engrossed - HB 230, HB 278, HB 489, HB 663, HJR 22.
Correctly printed - HB 342, HB 555, HB 634, HB 636, HB 791.
Considered correctly engrossed - HB 473.

Do Pass

EDUCATION AND CULTURAL RESOURCES (Gilligan, Chairman): 2/19/79

HB 116, introduced bill, be amended as follows:

1. Title, line 6.
Following: "COSTS;"
Insert: "PROVIDING FOR SPECIAL EDUCATION TUITION; ESTABLISHING PROCEDURES IF APPROVED BUDGETS EXCEED APPROPRIATIONS;"
Following: "SECTIONS"
Insert: "20-7-421,"

2. Title, line 7.

Following: "MCA"
Insert: "; AND PROVIDING AN EFFECTIVE DATE"

3. Page 1, line 25 through line 7 on page 2.
Strike: line 25 on page 1 through line 7 on page 2 in their entirety
Renumber: subsequent subsections

4. Page 9.
Following: line 5
Insert: "(5) If special education budgets approved by the superintendent of public instruction exceed legislative appropriations available for special education, each district shall receive a pro rata share of the available appropriations based upon its budget as a percent of all approved special education budgets. The amount of the approved budgets in excess of the available appropriations may not be reimbursed under the maximum-budget-without-a-vote for special education and is the responsibility of the school district.

SECTION 2. SECTION 20-7-421 IS AMENDED TO READ:

'20-7-421. Arranging attendance in another district in lieu of a special education program — tuition. (1) With the approval of the superintendent of public instruction, the trustees may arrange for the attendance of a child in need of special education in a special education program in another district within the state of Montana. Arrangements for the attendance of a child in need of special education are not subject to the laws governing the attendance of pupils in schools outside the district, ~~and no tuition shall be charged the district of residence. However, tuition as required under 20-5-303, may be charged for children who are not considered full time special education pupils as defined in 20-9-311~~ except as provided in subsection (2). (2) The resident district of pupils attending a special education program in another district is responsible for payment of tuition as established in 20-5-305 and 20-5-312.'"
Renumber: subsequent sections

5. Page 10.
Following: line 9
Insert: "Section 5. Effective date. This act is effective July 1, 1980."

And as amended, do pass. Report adopted.

HB 191, introduced bill, be amended as follows:

1. Page 1, line 8 and 9.
Following: "Tax levy for the"
Strike: "first year. For the year 1979 there"
Insert: "university system. There"

2. Page 1, line 11.
Following: "taxation"
Strike: "for the year 1979"

3. Page 1, line 16 through line 5 on page 2.
Following: "supervision" on line 16
Strike: line 16 through "supervision" on line 5, page 2

4. Page 2.
Following: line 8
Insert: "Section 2. Termination date. This act terminates on January 1, 1989."

And as amended, do pass. Report adopted.

HB 298, introduced bill, be amended as follows:

1. Page 4, line 12.
Following: "of"
Strike: "special education"

2. Page 4, line 22.
Following: "a"
Strike: "special education"

And as amended, do pass. Report adopted.

HB 408, introduced bill, be amended as follows:

1. Title, line 9.
Following: "MCA"
Insert: "; PROVIDING AN EFFECTIVE DATE"

2. Page 2, line 3 through line 11.
Strike: subsection (2) in its entirety
Insert: "(2) 'School day' means the school day defined in 20-1-302."

3. Page 2, line 16 and line 17.
Strike: "to and through at least June 14"
Insert: "1 week beyond the last scheduled day"

4. Page 2, line 25.
Following: "the"
Insert: "county superintendent, or in a county with no county superintendent, the"

5. Page 8.
Following: line 14
Insert: "Section 9. Effective date. This act is effective upon passage and approval."

And as amended, do pass. Report adopted.

HB 446, introduced bill, be amended as follows:

1. Title, line 5.
Following: "UNDER"
Strike: "EDUCATIONAL COOPERATIVE"
Insert: "REGIONAL SERVICES"

2. Page 1, line 10.
Following: "under"
Strike: "educational cooperative"
Insert: "regional services"

3. Page 1, line 12.
Following: "in a"
Strike: "cooperative"
Insert: "regional services"

4. Page 1, line 13.
Following: "provisions of"
Insert: "20-7-415,"

5. Page 1, line 15.
Following: "by the"
Strike: "cooperative"
Insert: "regional services"

6. Page 1, line 18.

Following: "of"
Insert: "20-7-415,"

7. Page 1, lines 19 and 20.
Following: "with the"
Strike: "prime agency, as defined in 20-9-701,"
Insert: "regional services organization"

8. Page 1, line 24.
Following: "provisions of"
Insert: "20-7-415,"

9. Page 1, line 25.
Following: "part 7,"
Strike: "educational cooperative"
Insert: "regional services"

And as amended, do pass. Report adopted.

HB 460, introduced bill, be amended as follows: 2/17/79

1. Page 4, line 18.
Following: "the"
Strike: "previous"
Insert: "current"

2. Page 5, line 21.
Following: "and"
Strike: "the previous"
Insert: "106% of the current"

And as amended, do pass. Report adopted.

HB 480, introduced bill, be amended as follows: 2/19/79

1. Page 1, line 23.
Following: "(3)"
Insert: "plainly"
Following: "state"
Strike: "the exact"
Insert: "each"
Following: "bonds"
Strike: ","

2. Page 1, line 24 and line 25.
Strike: line 24 through "proceeds" on line 25

3. Page 2, line 10 and line 11.
Following: "issue" on line 10
Strike: line 10 through "proceeds," on line 11

And as amended, do pass. Report adopted.

HB 635, introduced bill, be amended as follows: 2/17/79

1. Page 1, line 12.
Following: "inspection."
Strike: "(1)"

2. Page 1, line 14.
Following: "from"
Strike: "school or for school"
Insert: "a public or private school or for school or church"

3. Page 1, line 22 through line 2 on page 2.

Strike: subsection (2) in its entirety

And as amended, do pass. Report adopted.

HB 880, introduced bill, be amended as follows: 2/19/79

1. Page 1, lines 11 through 19.
Following: "personnel."
Strike: subsection 1 in its entirety
Renumber: subsequent subsections

2. Page 2, line 3.
Following: "certification."
Insert: "No more than 3 credit hours may be required to satisfy this section."

3. Page 2.
Following: line 4
Insert: "Section 2. Effect of law. If House Bill No. 219 of the 1979 legislature is enacted into law, the deletion and amendment of subsection (1) of 20-4-213 by this act is a nullity, and the provisions of House Bill No. 219 shall be effective."

And as amended, do pass. Report adopted.

LOCAL GOVERNMENT (H. Robbins, Chairman): 2/19/79
HB 392, second reading copy, be amended as follows:

1. Page 1.
Following: line 8
Strike: line 9 through line 9 on page 2 in their entirety
Insert: "WHEREAS, confusion has arisen concerning the proper status of prior existing fire districts and fire companies following the formation of a city-county consolidated government with self-government powers; and

WHEREAS, the legislature wishes to clarify this situation with the clear understanding that the substance of the law is not changed; and

WHEREAS, Title 7, chapter 33, part 41, requires municipalities to provide fire services under that part; and

WHEREAS, and city-county consolidated government is neither a county government nor a municipality but under 7-3-1103 has the status of both; and

WHEREAS, this combined status allows the people of the local area to choose the most desirable means to provide local services, including fire services, within reasonable limits of interpreting applicable state law and so long as vested rights are not unreasonably abrogated; and

WHEREAS, the legislature finds that a local government charter that maintains rural fire services organizations as they were prior to consolidation is a reasonable interpretation of those laws; and

WHEREAS, to provide the desirable ratification of any existing charter interpretation to this effect and to clarify the application of such charters in the future,

THEREFORE, it is the purpose of this act to clarify the law on this point without establishing a presumption that the law is in any way substantively altered.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Volunteer fire districts or companies — fire departments — not affected by city-county consolidation. (1) Notwithstanding any other provision of law, the adoption of a city-county consolidated local government has no effect on the existence of a volunteer fire department, a volunteer fire company, or a fire district created and legally in existence pursuant to the provisions of parts 21 and 23 of chapter 33 unless otherwise specifically provided by charter.

(2) No right or benefit of any member of a volunteer fire district, company, or department created pursuant to the provisions of parts 21 and 23 of chapter 33 in a retirement or pension plan, or payments provided under 19-12-103 may be abrogated by the adoption of a city-county consolidated local government unless otherwise specifically provided by charter."

And as amended, do pass. Report adopted.

REPORTS OF STANDING COMMITTEES

Dussault moved that all Standing Committee Reports with do pass recommendations and all printing reports be deemed read this day. Motion carried.

BILLS (Metcalf, Chairman): 2/19/79
Examined by the Sponsor and found to be correct - HB 30.

Will be signed by the Speaker on adjournment, 2/19/79 - HB 30.

Do Pass

BUSINESS AND INDUSTRY (Quilici, Chairman): 2/19/79
HB 769, introduced bill, be amended as follows:

1. Title, line 4.
Following: "TO"
Strike: "REQUIRE THAT"
Insert: "ALLOW"

2. Title, line 5.
Following: "DISTRICTS"
Insert: "TO"

3. Page 1, line 12.
Following: "bonds"
Strike: "must"
Insert: "may"

And as amended, do pass. Report adopted.

HB 773, do pass. Report adopted.

STATEMENT OF INTENT RE: House Bill No. 773

A Statement of Intent is required for House Bill No. 773 in that it delegates rulemaking authority to the Fish and Game Commission in Section 3.

1. Section 3, of House Bill 773 delegates to the Fish and Game Commission the authority to promulgate rules for the fair and equitable allocation of the funds appropriated under this act. The Fish and Game Commission shall have the authority to make rules relating to a private

marina owner's application for funds to be distributed under the pilot cost-sharing program. The Fish and Game Commission shall consider, but not be limited to, the following factors when promulgating rules relating to the allocation of the funds appropriated under this program:

A. the size of the applicant's marina;

B. the hours the applicant's marina is open to the public;

C. the availability of the applicant's marina to the public; and

D. the degree of use the applicant's marina receives by the public.

2. All rules and decisions made by the Fish and Game Commission under this act are subject to the Montana Administrative Procedure Act.

/s/Quilici

HB 793, introduced bill, be amended as follows:

1. Page 1, line 17.
Following: "least"
Strike: "10"
Insert: "5"

2. Page 6, line 5.
Following: "A—"
Strike: "appraisal consultant"
Insert: "general appraisal"

3. Page 6, line 23.
Following: "class A"
Strike: "appraisal consultant"
Insert: "general appraisal"

4. Page 9, line 8.
Following: "A"
Strike: "appraisal consultant"
Insert: "general appraisal"

5. Page 20.
Following: line 22
Insert: "Section 20. Implementation. For a period of 6 months following the effective date of sections 2 through 19, the board shall waive the requirements set forth in sections 2 through 19 under sections establishing classifications in the case of any applicant who holds a designation in a recognized professional appraisal organization, whose requirements, in the opinion of the board, meet the standards as set forth in sections 2 through 19. The board may further waive the requirements under sections 2 through 19 for any appraiser who submits, under oath, satisfactory evidence of at least 5 years of appraisal experience acceptable to the board in those classifications for which the waiver is applied."
Renumber: subsequent section

And as amended, do pass. Report adopted.

STATEMENT OF INTENT RE: House Bill No. 793

A Statement of Intent is required for House Bill 793 in that it delegates rulemaking authority to the Board of Real Estate Appraisers in section 4.

1. In subsection (3) of section 4 the Board of Real Estate Appraisers delegated the power to promulgate rules relating to the board's organization, the term of its officers, examinations, and all other matters requisite to the exercise of its powers, the performance of its duties, and transaction of its business under the provisions of House Bill 793.

2. Specifically, the board's power to promulgate rules shall be limited to the following areas:
(a) applications and licensing procedures;
(b) the board's organization, including the length of terms of the officers;
(c) violations of the act;
(d) hearings necessary to carry out the provisions of this act;
(e) substantive requirements for licensing, including rules relating to the format and substance of the comprehensive examinations required under this act;
(f) license renewal; and
(g) complaints and investigations of any aggrieved person, including rules relating to the suspension, revocation, or denial of a license in accordance with the provisions of House Bill 793.
3. As stated in House Bill 793, any rule promulgated by the board is subject to the provisions of the Montana Administrative Procedure Act.
4. The intent underlying this bill is to establish a board to regulate practices of real estate appraisal and to protect and safeguard the interests of the public.

/s/Quilici

HB 802, do pass. Report adopted.
HB 815, do pass. Report adopted.
HB 817, do pass. Report adopted.
HB 881, do pass. Report adopted.
HJR 37, introduced bill, be amended as follows:

1. Title, line 7.
Following: line 6
Strike: "MONTANA,"

2. Title, lines 7 and 8.
Following: "IDAHO"
Strike: "A PLAN FOR IMPLEMENTING"
Insert: "MONTANA'S POSITION WITH REGARD TO"

3. Page 1, line 11 through line 8 on page 2.
Following: line 10
Strike: line 11 on page 1 through line 8 on page 2
Insert: "WHEREAS, Congress has considered and will consider several bills dealing with regional energy planning in the Pacific Northwest, including the Pacific Northwest Electric Power Planning and Conservation Act, which will be introduced in the current session of Congress; and

WHEREAS, some of the proposals, including the Act, would grant significant powers to the Bonneville Power Administration in the areas of regional power planning and resource acquisition; and

WHEREAS, because of Montana's abundant energy resources and inclusion in the Bonneville Power Administration jurisdiction, Montana will be significantly affected by any regional energy plan which is implemented; and

WHEREAS, Montana has enacted numerous statutes enabling its citizens to control energy and resource development in this state, including the Montana Major Facilities Siting Act, the Montana Strip Mine and Underground Mine Reclamation Act, and the Strip and Underground Mine Siting Act, among others; and

WHEREAS, Montana reaffirmed its commitment to control energy development when its citizens overwhelmingly approved a ballot initiative requiring public approval on the siting of nuclear facilities; and

WHEREAS, the Administration and the Congressional delegation of the state of Montana, as reflected in the testimony of the Governor on the Pacific Northwest Electric Power Planning and Conservation Act, are concerned that some of the proposals for Pacific Northwest regional energy planning, including the Act, may preempt those statutes and the ratemaking power of the Montana Public Service Commission; and

WHEREAS, the Governor of Montana, in his testimony on the Act, has reaffirmed Montana's commitment to energy conservation and has stated his concern that regional energy planning bodies be held accountable to the public; and

WHEREAS, similar programs for citizen control of development of resources, of energy conservation, and of ratemaking exist in the other Pacific Northwest states; and

WHEREAS, the coordination of regional energy policy is a major concern of the Pacific Northwest states and the federal government, and will require that decisions about the region's energy policy be reached collectively;"

4. Page 2, line 12 through line 17 on page 4.
Following: line 11
Strike: line 12 on page 2 through line 17 on page 4
Insert: "That the Legislature of the state of Montana call upon the United States Congress to pass the Pacific Northwest Electric Power Planning and Conservation Act or any act regarding regional energy policy in the Pacific Northwest only if such legislation would not preempt state control of energy and resource development; would not weaken state ratemaking powers; would not interfere with state conservation or renewable resource programs; and would not create an energy policymaking and planning body which was not accountable to the citizens of the Pacific Northwest states.

BE IT FURTHER RESOLVED, that the Legislature of the state of Montana call upon the United States Congress to pass regional energy planning legislation for the Pacific Northwest that would include a reaffirmation of the priority of Montana in the allocational power under the Hungry Horse Authorization and Preference Act and the authorizations and appropriations for the Libby Dam Project.

BE IT FURTHER RESOLVED, that Montana call upon the United States Congress to pass legislation regarding Pacific Northwest regional energy policy only if such proposed legislation has the support of the Governors and Congressional delegations of Montana, Washington, Oregon, and Idaho.

BE IT FURTHER RESOLVED, that the Secretary of State send copies of this resolution to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, the Chairmen of the United States House and Senate Energy Committees, the Chairman of the United States House Interior and Insular Affairs Committee, the Secretary of Energy, the Congressional delegations of Washington,

Idaho, Oregon, and Montana, and the legislative assemblies of Washington, Idaho, and Oregon."

And as amended, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Gilligan, Chairman): 2/19/79

HB 295, do pass. Report adopted.
HB 328, do pass. Report adopted.
HB 811, do pass. Report adopted.
HB 855, do pass. Report adopted.
HB 864, do pass. Report adopted.

HUMAN SERVICES (Holmes, Chairman): 2/19/79

HB 655, do pass. Report adopted.
HB 696, do pass. Report adopted.
HB 714, do pass. Report adopted.
HB 722, do pass. Report adopted.
HB 825, do pass. Report adopted.
HJR 11, do pass. Report adopted.

JUDICIARY (Scully, Chairman): 2/19/79

HB 401, do pass. Report adopted.
HB 691, do pass. Report adopted.

STATEMENT OF INTENT RE: House Bill No. 691

If the commissioner chooses to exercise his discretion and issue rules under S7(2) of [the act] then the following considerations should guide him.

The purpose of the law is to facilitate the providing legal services through a prepayment plan. This is similar to medical prepayment plans in their infancy many years ago. The watchword should ease in establishing such plans because the initial plans are likely to be small without large amounts of capital to comply with lengthy and detailed rules and procedures. The rules should safeguard the members by requiring that the contracting attorneys agree to provide the services during the term of the membership contracts. This means that there must be a sufficient number of contracting attorneys. If the membership contract is local in scope then a sufficient number of local attorneys should be contracting attorneys. Complementary to this consideration is the policy of the Legislature that members have free choice of attorneys. The sponsoring organization should not specify the attorneys available to the members. Any rules promulgated pertaining to contracting attorneys should make the free choice of attorneys an integral feature of the rules. To further this goal the rules, if any, should make it easy for an attorney to become a contracting attorney. For example, an attorney should be able to become a contracting attorney by submitting a claim after having performed services for a member, so that there are not "paperwork" barriers to the member's ability to obtain legal services when and where he desires.

/s/Scully

HB 748, do pass. Report adopted.
HB 749, do pass. Report adopted.
HB 751, do pass. Report adopted.
HB 760, do pass. Report adopted.
HB 774, do pass. Report adopted.
HB 775, do pass. Report adopted.
HB 782, do pass. Report adopted.
HB 783, do pass. Report adopted.

HB 879, do pass. Report adopted.

LOCAL GOVERNMENT (H. Robbins, Chairman): 2/19/79
HB 387, do pass. Report adopted.
HB 467, do pass. Report adopted.
HB 645, introduced bill, be amended as follows:

1. Page 1, line 10.
Following: "investigation."
Strike: "(1)"

2. Page 1, line 17.
Strike: subsection (2) in its entirety

3. Page 1, line 23.
Strike: subsection (2) in its entirety
Insert: "(2) The person lawfully entitled to custody of the deceased person's remains shall be notified of the death as soon as is practicable, and at this time the coroner shall obtain permission to release the body to a funeral home."

And as amended, do pass. Report adopted.

HB 651, do pass. Report adopted.
HB 661, do pass. Report adopted.
HB 687, do pass. Report adopted.

NATURAL RESOURCES (Shelden, Chairman): 2/19/79
HB 617, introduced bill, be amended as follows:

1. Page 3, line 13.
Strike: "25"
Insert: "250"

2. Page 6, line 4.
Strike: "state agency"
Strike: "or permit"

3. Page 6, line 5.
Strike: "applications for private activities"

4. Page 6, line 6.
Following: "corridors"
Insert: "which are initiated by a state agency or for which a state license or permit is required under the provisions of another statute"

5. Page 6, line 11.
Strike: "shall include and"

6. Page 6, line 12.
Strike: "the permit applicant"
Insert: "any applicant for a permit under such other statute"

7. Page 6, line 15.
Following: "corridor."
Insert: "Nothing in [this act] authorizes the establishment of any new permit program not authorized by the provisions of other statutes."

And as amended, do pass. Report adopted.

HB 716, introduced bill, be amended as follows:

1. Title, line 9.

Following: "FEDERAL LAW;"
Insert: "TO ISSUE ORDERS PROVIDED FOR BY FEDERAL LAW;"

2. Title, line 13.
Following: "COUNCIL;"
Insert: "TO CLARIFY THE BOARD'S AUTHORITY TO ADOPT BY RULE A SIMPLIFIED PERMIT SYSTEM FOR AIR CONTAMINANT SOURCES;"

3. Page 2, line 3.
Following: "chapter"
Insert: ", for issuing orders under and in accordance with 42 U.S.C. 7419,"

4. Page 2, line 20.
Strike: "."
Insert: ";"

5. Page 2.
Following: line 20
Insert: "(6) have the power to issue orders under and in accordance with 42 U.S.C. 7419."

6. Page 6, line 15.
Following: "granted"
Insert: "(not including any court costs or other costs associated with any enforcement action)"

7. Page 6, line 16.
Following: "department"
Insert: "or said local government"

8. Page 6.
Following: line 17
Insert: "(3) Nothing in this section shall restrict the board's authority to adopt regulations providing for a single air quality permit system."
Renumber: subsequent subsections

9. Page 7, line 19.
Following: "by"
Insert: "registered or certified"

10. Page 12, line 4.
Following: "by"
Insert: "registered or certified"

11. Page 13, lines 7 through 11.
Strike: lines 7 through 11 in their entirety
Renumber: subsequent subsections

12. Page 14, line 1.
Following: "source"
Insert: "(other than a primary nonferrous smelter which has received a nonferrous smelter order under 42 U.S.C. 7419)"

13. Page 14, lines 2 and 3.
Following: "with any"
Strike: "provision of [Title 75, chapter 2] or any rule adopted or order issued pursuant to [Title 75, chapter 2]"
Insert: "emission limitation specified in an order of the board, emission standard, or compliance schedule under the state implementation plan approved by the federal environmental protection agency"

14. Page 14, line 8.
Following: "(1)"
Strike: "(b)"
Insert: "(a)"

15. Page 14, line 9.
Following: "(1)"
Strike: "(c)"
Insert: "(b)"

16. Page 14, line 11.
Following: "order"
Insert: ", or a primary nonferrous smelter which has received a primary nonferrous smelter order under 42 U.S.C. 7419,"

17. Page 20, line 17.
Following: "act]"
Insert: ", and approved by the federal environmental protection agency as an amendment to the state implementation plan,"

And as amended, do pass. Report adopted.

STATEMENT OF INTENT RE: House Bill No. 716

The Legislature intends to grant to the Board of Health and Environmental Sciences rule-making authority to adopt a permit fee schedule. Local air pollution control agencies that assess fees in accordance with these rules shall use the same permit fee schedule.

/s/Shelden

STATE ADMINISTRATION (Brand, Chairman): 2/19/79

HB 76, introduced bill, be amended as follows:

1. Page 1, line 17.
Following: "more than"
Strike: "2%"
Insert: "3%"

And as amended, do pass. Report adopted.

HB 403, introduced bill, be amended as follows:

1. Title, line 8.
Following: "THAN"
Strike: "SUBTRACTING SUCH PAYMENTS"

2. Title, line 9.
Following: "FEES"
Strike: "BEFORE THEY ARE DEPOSITED IN THE GENERAL FUND"

And as amended, do pass. Report adopted.

HB 481, do pass. Report adopted.
HB 591, do pass. Report adopted.
HB 596, do pass. Report adopted.
HB 600, do pass. Report adopted.
HB 606, introduced bill, be amended as follows:

1. Title, line 8.
Strike: "ON JULY 1, 1979"
Insert: "IMMEDIATELY"

2. Page 2, line 5.

Strike: "Two"
Insert: "Three"

3. Page 2, line 9.
Strike: "Three"
Insert: "Two"

4. Page 10, line 21.
Strike: "Effect of termination."
Insert: "Termination of board of real estate. Notwithstanding the provision of 2-8-103 (1), the board of real estate terminates on the effective date of this act."

And as amended, do pass. Report adopted.

HB 683, do pass. Report adopted.
HB 686, do pass. Report adopted.
HB 741, do pass. Report adopted.
HB 808, do pass. Report adopted.

Adverse Committee Reports

EDUCATION AND CULTURAL RESOURCES (Gilligan, Chairman): 2/19/79
HB 105, do not pass.

HUMAN SERVICES (Holmes, Chairman): 2/19/79
HB 587, do not pass.

JUDICIARY (Scully, Chairman): 2/19/79
HB 777, do not pass.

LOCAL GOVERNMENT (H. Robbins, Chairman): 2/17/79
HB 43, introduced bill, be amended as follows:

1. Page 3, line 3.
Following: "wildlife,"
Insert: "agricultural,"

And as amended, do not pass.

HB 535, introduced bill, be amended as follows: 2/19/79

1. Page 2.
Strike: lines 13 through 15 in their entirety

And as amended, do not pass.

HB 559, do not pass.
HB 628, do not pass.

NATURAL RESOURCES (Shelden, Chairman): 2/19/79
HB 715, do not pass.

STATE ADMINISTRATION (Brand, Chairman): 2/19/79
HB 419, do not pass.
HB 436, do not pass.
HB 552, do not pass.
HB 576, do not pass.
HB 588, do not pass.
HB 664, do not pass.
HB 731, do not pass.
HJR 35, do not pass.

Harrington, O'Connell, H. Robbins, Hemstad, Vinger, Day, Daily, McBride, Pavlovich, Cooney objected that HB 731 was reported out of

committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

Consent Calendar

Bill unanimously passed in committee and unanimously placed on Consent Calendar:

LOCAL GOVERNMENT (H. Robbins, Chairman): 2/19/79
HB 610, do pass. Report adopted.

MOTIONS

Dussault moved that HB 653 be taken from Second Reading and referred to the Committee on Appropriations. Motion carried.

Dussault moved that HB 632 be taken from Second Reading and referred to the Committee on Labor. Motion carried.

Dussault moved that HJR 15 be placed on Second Reading this day, above HB 260. Motion carried.

House recessed at 5:36 p.m.

House reconvened at 5:46 p.m.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Yardley in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Committee of the Whole Amendments to House Joint Resolution No. 15, second reading copy, dated 2-17-79, 4:20 p.m., be amended as follows:

1. Strike: amendment 1 in its entirety

That HJR 15, second reading copy, be amended as follows: (64-30)

2. Page 2.
Following: line 15
Insert: "BE IT FURTHER RESOLVED, that no convention be called (1) if Congress proposes an amendment to the United States Constitution that would protect the lives of all human beings including unborn children at every stage of their biological development, and (2) until federal statutes be enacted that specifically provide for a process by which the convention be conducted and the manner by which the convention's subject matter may be delineated, restricted, deliberated and voted upon."

That HJR 15, second reading copy, be further amended as follows: (89-6)

1. Page 2.
Following: line 15
Insert: "BE IT FURTHER RESOLVED, THAT no convention be called until federal statutes be enacted that specifically provide for

a process by which the convention be conducted and the manner by which the convention's subject matter may be delineated, restricted, deliberated, and voted upon."

And as amended, do pass. (53-47)

That HB 260 do pass. (96-0)

That HB 371 do pass. (97-0)

That HB 406 do pass. (70-25)

That HB 412 do pass. (85-4)

South moved that HB 453 pass consideration for the day. Motion carried.

That HB 458 do pass. (94-1)

That the Committee rise and report. (Yardley, Chairman). Dussault moved that HJR 15 be segregated from the Committee of the Whole Report and as amended, be adopted. Report adopted. (85-3)

MOTIONS

Dussault moved that HB 837 be rereferred from the Committee on State Administration to the Committee on Rules. Motion carried.

Dussault moved that the House adjourn until 2:30 p.m., February 20, 1979.

Motion carried.

House adjourned at 7:14 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

FORTY-SECOND LEGISLATIVE DAY

Helena, Montana
February 20, 1979

House Chambers
Capitol Building

House convened at 2:28 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

COMMUNICATIONS AND PETITIONS

Dussault explained to the House members the schedule for committee meetings and for the session for this day.

REPORTS OF STANDING COMMITTEES

Dussault moved that all printing reports and Standing Committee Reports with a do pass recommendation be deemed read. Motion carried.

BILLS (Metcalf, Chairman): 2/20/79
Correctly engrossed - HB 813.
Correctly printed - HB 49, HB 174, HB 196, HB 645, HB 769, HB 773, HB 779, HB 793.
Considered correctly engrossed - HB 179, HB 233, HB 260, HB 371, HB 406, HB 412, HB 458, HB 578, HB 675, HB 719, HB 737.

Delivered to the Governor for his approval at 9:37 a.m., 2/20/79 - HB 30, HB 62, HB 66, HB 146, HB 183.

Signed by the Speaker, 2/19/79 - HB 30.

Do Pass

HUMAN SERVICES (Holmes, Chairman): 2/19/79
HB 487, do pass. Report adopted.

LOCAL GOVERNMENT (H. Robbins, Chairman): 2/19/79
HB 81, introduced bill, be amended as follows:

1. Page 6, line 10.
Following: "76-4-128."
Strike: remainder of subsection (2) in its entirety

2. Page 6, line 19.
Following: "additional"
Insert: "domestic"

3. Page 7, line 20.
Following: "person"
Insert: "willfully"

4. Page 7, line 25.
Following: "who"
Insert: "willfully"

5. Page 8, line 2.
Strike: "$1,000"
Insert: "$500"

6. Page 8, lines 2 and 3.
Strike: "Each day of violation constitutes a separate violation."

7. Page 11, lines 5 through 8.

Strike: subsection (2) in its entirety
Renumber: subsequent subsection

8. Page 13, line 22.
Strike: "qualified"
Following: "personnel"
Insert: "determined by the department to be qualified"

9. Page 14, line 23.
Following: "subdivision"
Insert: ", and it shall send to the department documentation used in approval immediately upon review"

And as amended, do pass. Report adopted.

HB 244, introduced bill, be amended as follows:

1. Page 1.
Following: line 11
Insert: "SECTION 1. SECTION 75-20-211, MCA IS AMENDED TO READ:

'75-20-211. Application — filing and contents — proof of service and notice. (1) (a) An applicant for a certificate shall file with the department a verified application, in such form as the board by rule or the department by order prescribes, containing the following information:

(i) a description of the location and of the facility to be built thereon;

(ii) a summary of any studies which have been made of the environmental impact of the facility;

(iii) a statement explaining the need for the facility;

(iv) a description of any reasonable alternate location or locations for the proposed facility, a description of the comparative merits and detriments of each location submitted, and a statement of the reasons why the primary proposed location is best suited for the facility; and

(v) such other information as the applicant considers relevant or as the board by rule or the department by order requires.

(b) A copy or copies of the studies referred to in subsection (1)(a)(ii) above shall be filed with the department, if ordered, and shall be available for public inspection.

(2) An application may consist of an application for two or more facilities in combination which are physically and directly attached to each other and are operationally a single operating entity.

(3) An application shall be accompanied by proof of service of a copy of the application on the chief executive officer of each unit of local government and the head of each government agency charged with the duty of protecting the environment or of planning land use in the area in which any portion of the facility is to be located, both as primarily and as alternatively proposed.

(4) The copy of the application shall be accompanied by a notice specifying the date on or about which the application is to be filed.

(5) An application shall also be accompanied by proof that public notice thereof was given to persons residing in the units of local government entitled to receive notice under subsection (3) of this section by the publication of a summary of the application and the date on or about which it is to be filed in those newspapers as will serve substantially to inform those persons of the application.'"
Renumber: subsequent sections

2. Page 1, line 17.
Following: "government"
Insert: "and government agency"

And as amended, do pass. Report adopted.

HB 307, introduced bill, be amended as follows:

1. Page 1, line 20.
Following: "body"
Insert: ", after a public hearing,"

2. Page 2, line 7.
Strike: "parcels"
Insert: "lots"

3. Page 2.
Following: line 16
Insert: "(c) No written statement of exemption will be required in cases of summary review."
Renumber: subsequent subsection

4. Page 2, line 23.
Strike: "parcels"
Insert: "lots"

And as amended, do pass. Report adopted.

Adverse Committee Reports

On motion by Gilligan, the Adverse Committee Report on HB 171 was adopted by the following vote: (71-20)

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hemstad, Hirsch, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Kropp, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, K. Robbins, Roth, Sales, Schultz, Seifert, Shelden, Smith, South, Staigmiller, Stobie, Teague, Thoft, Uhde, Underdal, Vincent, Vinger, Williams, Wyrick, Mr. Speaker.
Total 71

Noes: Azzara, Dassinger, Dussault, Hand, Hayne, Holmes, Huennekens, Keedy, Keyser, Kvaalen, McBride, Metcalf, Oberg, H. Robbins, Rosenthal, Spilker, Tropila, Waldron, Wood, Yardley.
Total 20

Excused: None.
Total 0

Absent or not voting: Bardanouve, Brand, Burnett, Conroy, Ellerd, Eudaily, Reichert, Scully, Sivertsen.
Total 9

On motion by H. Robbins, the Adverse Committee Report on HB 289 was adopted by the following vote: (81-17)

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gilligan, Hand, Harrington, Hayne, Hemstad, Hirsch, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Uhde, Underdal, Williams, Wood, Yardley, Mr. Speaker.
Total 81

Noes: Azzara, Dassinger, Dussault, Frates, Gould, Harper, Holmes, Huennekens, Keedy, Kemmis, Metcalf, Reichert, South, Tropila, Vincent, Vinger, Waldron.
Total 17

Excused: None.
Total 0

Absent or not voting: Brand, Wyrick.
Total 2

On motion by O'Connell, the Adverse Committee Report on HB 561 was adopted by the following vote: (70-29)

Ayes: Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Donaldson, Dozier, Dussault, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, K. Robbins, Scully, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Vincent, Vinger, Waldron, Williams, Yardley, Mr. Speaker.
Total 70

Noes: Anderson, Bengtson, Burnett, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Eudaily, Hurwitz, Johnston, Keyser, Kropp, Kvaalen, Marks, Moore, O'Connell, Porter, Ramirez, Roth, Sales, Schultz, Sivertsen, Teague, Uhde, Underdal, Wood, Wyrick.
Total 29

Excused: None.
Total 0

Absent or not voting: Rosenthal.
Total 1

On motion by O'Connell, the Adverse Committee Report on HB 613 was adopted by the following vote: (73-22)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Day, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gould, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, Magone, Manning, Manuel, Marks, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Porter, Ramirez, H. Robbins, Roth, Sales, Schultz, Seifert, Shelden,

Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 73

Noes: Cooney, Daily, Dozier, Dussault, Frates, Gilligan, Hand, Harper, Harrington, Holmes, Johnston, Lien, McBride, Menahan, Oberg, Pavlovich, Pistoria, Quilici, Rosenthal, Scully, Teague, Waldron.
Total 22

Excused: None.
Total 0

Absent or not voting: Brand, Dassinger, Keedy, Reichert, K. Robbins.
Total 5

On motion by Williams, the Adverse Committee Report on HB 750 was adopted by the following vote: (86-12)

Ayes: Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Uhde, Underdal, Vincent, Vinger, Wood, Wyrick, Yardley, Mr. Speaker.
Total 86

Noes: Anderson, Azzara, Harrington, Holmes, Huennekens, Keedy, Kessler, McBride, O'Connell, Teague, Tropila, Waldron.
Total 12

Excused: None.
Total 0

Absent or not voting: Ellis, Williams.
Total 2

On motion by Quilici, the Adverse Committee Report on HB 764 was adopted by the following vote: (80-19)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ernst, Eudaily, Fabrega, Fagg, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Sales, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 80

Noes: Bengtson, Burnett, Ellerd, Ellis, Ellison, Feda, Frates, Gould, Huennekens, Keyser, Kropp, Lory, Rosenthal, Schultz, Scully, Seifert, Underdal, Vinger, Wyrick.
Total 19

Excused: None.
Total 0

Absent or not voting: Pistoria.
Total 1

Moore, Sales, Hurwitz, Ellison, Conroy, Staigmiller, Curtiss, Spilker, Nordtvedt, Kvaalen objected that HB 43 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

Burnett, Wyrick, Anderson, Kropp, Kanduch, Bengtson, Fabrega, Underdal, Vinger, Ernst objected that HB 105 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

Ramirez, Kropp, Wyrick, Moore, Meyer, Underdal, Fagg, Seifert, Nathe, Keyser objected that HB 436 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

Marks, Seifert, Nathe, Keyser, Hemstad, Donaldson, Pistoria, Vinger, Moore, Hurwitz objected that HB 715 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

MESSAGES FROM THE OTHER HOUSE

Conference Committee Reports adopted: 2/20/79

Conference Committee on Senate Amendments to House Bill No. 75

Conference Committee on Senate Amendments to House Bill No. 40

House Joint Resolution concurred in and returned to the House: 2/19/79

House Joint Resolution No. 12, introduced by Seifert, Lowe, Williams, et al

Senate Bills passed as amended and transmitted to the House for concurrence: 2/19/79

Senate Bill No. 156, introduced by Story

Senate Bill No. 182, introduced by Thiessen, Kvaalen, et al

Senate Bill No. 208, introduced by Hafferman, Lowe

Senate Bill No. 246, introduced by Hager, Bob Brown, Roskie

Senate Bill No. 340, introduced by Thomas

Senate Bill No. 364, introduced by S. Brown, Regan

Senate Bill No. 375, introduced by Graham

Senate Bill No. 442, introduced by S. Brown

Senate Bills passed and transmitted to the House for concurrence: 2/19/79

Senate Bill No. 255, introduced by Thiessen, Kvaalen

Senate Bill No. 331, introduced by Dover, Regan

Senate Bill No. 381, introduced by Himsl, Severson, Goodover, Fabrega

Senate Bill No. 406, introduced by Conover, Jergeson, Graham, et al

MOTIONS

Scully moved that HB 748 be taken from Second Reading and referred to the Committee on Judiciary. Motion carried.

Scully moved that HB 760 be taken from Second Reading and referred to the Committee on Appropriations. Motion carried.

Marks moved that HB 295 pass consideration for the day. Motion carried.

Marks moved that HB 624 pass consideration for the day. Motion carried.

South moved that HB 453 pass consideration for the day. Motion carried.

Dussault moved that the rules be temporarily suspended to allow bills this day reported out of committee without amendment to be placed on Second Reading for the Forty-third Legislative Day without being reprinted. Motion carried.

Waldron moved that HB 871 be rereferred from the Committee on Highways and Transportation to the Committee on Taxation. Motion carried.

Lory moved that the House reconsider its action on the Forty-first Legislative Day on Third Reading in failing to pass HB 568. Motion carried.

Scully moved that HB 568 be taken from Third Reading and referred to the Committee on Taxation. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 883, introduced by Bardanouve, Scully. Referred to Committee on Natural Resources.
HB 884, introduced by Fagg, McBride, Metcalf, Holmes, Harper, Frates, Shelden, Cooney, Johnson, Nathe, Harrington, Menahan, Kessler, Hemstad, Ramirez, Hirsch, Keedy, Fabrega. Referred to Committee on Taxation.
HB 885, introduced by Keedy. Referred to Committee on Judiciary.
HB 886, (introduced by the State Administration Committee). Referred to Committee on State Administration.
HB 887, introduced by Scully. Referred to Committee on Judiciary.
HJR 49, (introduced by Business and Industry Committee), Quilici, Chairman. Referred to Committee on Business and Industry.

The following Senate bills were introduced, read first time and referred to committees:

SB 156, introduced by Story, (By Request of the Department of Administration). Referred to Committee on State Administration.
SB 182, introduced by Thiessen, Kvaalen, Day, Wyrick, Mathers, Graham, E. Smith, Olson, Wood, Nathe, Lund, Vinger. Referred to Committee on Taxation.
SB 208, introduced by Hafferman, Lowe, (By Request of the Code Commissioner). Referred to Committee on Labor and Employment Relations.
SB 246, introduced by Hager, B. Brown, Roskie. Referred to Committee on Natural Resources.
SB 255, introduced by Thiessen, Kvaalen. Referred to Committee on Business and Industry.

SB 331, introduced by Dover, Regan. Referred to Committee on Human Services.
SB 340, introduced by Thomas, (By Request of the Code Commissioner). Referred to Committee on Local Government.
SB 364, introduced by S. Brown, Regan. Referred to Committee on Judiciary.
SB 375, introduced by Graham, (By Request of the Code Commissioner). Referred to Committee on State Administration.
SB 381, introduced by Himsl, Severson, Goodover, Fabrega. Referred to Committee on Business and Industry.
SB 406, introduced by Conover, Jergeson, Graham, Boylan, Fasbender, Kolstad, Etchart, Nelson. Referred to Committee on Highways and Transportation.
SB 442, introduced by S. Brown. Referred to Committee on State Administration.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 181 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Bardanouve, Menahan, Oberg, Quilici.
Total 4

House Bill No. 230 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Bennett, Burnett, Iverson, Smith, Wood.
Total 5

Excused: None.
Total 0

Absent or not voting: Jensen, Oberg, Quilici.
Total 3

House Bill No. 274 failed to pass by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bertelsen, Brand, Cooney, Dassinger, Donaldson, Dozier, Dussault, Fabrega, Fagg, Gesek, Gilligan, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Johnson, Keedy, Kemmis, Kessler, Keyser, Lory, McBride, Manning, Manuel, Menahan, Metcalf, Meyer, Nathe, Porter, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Scully, South, Spilker, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 48

Noes: Anderson, Bengtson, Bennett, Burnett, Conroy, Curtiss, Daily, Day, Ellerd, Ellis, Ellison, Ernst, Eudaily, Feda, Frates, Gould, Hand, Hayne, Hurwitz, Iverson, Johnston, Kanduch, Kropp, Kvaalen, Lien, Lund, Magone, Marks, Moore, Nordtvedt, O'Connell, Pavlovich, Pistoria, K. Robbins, Roth, Schultz, Seifert, Shelden, Sivertsen, Smith, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vinger, Wood, Wyrick.
Total 49

Excused: None.
Total 0

Absent or not voting: Jensen, Oberg, Quilici.
Total 3

House Bill No. 463 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: Stobie.
Total 1

Excused: None.
Total 0

Absent or not voting: Feda, Oberg.
Total 2

House Bill No. 473 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Burnett, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault,

Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Holmes, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Kropp, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nordtvedt, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Schultz, Scully, Shelden, Sivertsen, Spilker, Teague, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Mr. Speaker.
Total 69

Noes: Bertelsen, Brand, Curtiss, Ellerd, Ellis, Ellison, Feda, Hayne, Hirsch, Huennekens, Hurwitz, Kanduch, Keyser, Kvaalen, Lund, Moore, Nathe, Porter, K. Robbins, Sales, Seifert, Smith, South, Staigmiller, Stobie, Underdal, Vinger, Wood, Wyrick.
Total 29

Excused: None.
Total 0

Absent or not voting: Oberg, Yardley.
Total 2

House Bill No. 489 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: Jensen, Nordtvedt, Smith, Thoft.
Total 4

Excused: None.
Total 0

Absent or not voting: Oberg.
Total 1

House Bill No. 678 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Curtiss, Dassinger, Day, Donaldson, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Hayne, Hemstad, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lien, Lund, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.
Total 80

Noes: Cooney, Daily, Dozier, Frates, Harper, Harrington, Hirsch, Holmes, Kemmis, Lory, McBride, Porter, Sales, Scully, Shelden, Uhde, Vincent, Waldron, Yardley.
Total 19

Excused: None.
Total 0

Absent or not voting: Oberg.
Total 1

House Bill No. 693 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Oberg.
Total 1

House Bill No. 718 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Azzara, Nordtvedt, Oberg.
Total 3

House Bill No. 730 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Brand, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Frates, Hand, Harper, Harrington, Hemstad, Holmes, Huennekens, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nordtvedt, O'Connell, Pavlovich, Ramirez, H. Robbins, Shelden, South, Uhde, Vincent, Williams, Yardley, Mr. Speaker.
Total 49

Noes: Bennett, Bertelsen, Burnett, Conroy, Daily, Ellerd, Ellison, Ernst, Fabrega, Fagg, Feda, Gilligan, Gould, Hayne, Hirsch, Hurwitz, Iverson, Jensen, Keyser, Kropp, Kvaalen, Moore, Nathe, Pistoria, Porter, Quilici, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vinger, Waldron, Wood, Wyrick.
Total 47

Excused: None.
Total 0

Absent or not voting: Eudaily, Gesek, Lund, Oberg.
Total 4

House Joint Resolution No. 22 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Brand, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 87

Noes: Burnett, Conroy, Gould, Kropp, Moore, Smith, Underdal, Wyrick.
Total 8

Excused: None.
Total 0

Absent or not voting: Azzara, Bertelsen, Ellison, Oberg, Stobie.
Total 5

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Kvaalen in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 521, second reading copy, be amended as follows: (64-19)

1. Page 4, line 5.

Following: "~~$500~~"
Strike: "$250"
Insert: "$500"

2. Page 4, line 15.
Following: "~~$500~~"
Strike: "$250"
Insert: "$500"

3. Page 4, line 25.
Following: "~~$1,000~~"
Strike: "$500"
Insert: "$1,000"

4. Page 5, line 13.
Following: "~~$500~~"
Strike: "$250"
Insert: "$500"
Following: "~~$1,000~~"
Strike: "$500"
Insert: "$1,000"

And as amended, do pass. (82-3)

That HB 553 do pass. (83-1)

Oberg, Shelden excused at this time.

That HB 567 do pass. (60-37)

That HB 570 do pass. (80-3)

That HB 574, introduced bill, be amended as follows: (74-0)

1. Title, line 6.
Strike: "VEHCILE"
Insert: "VEHICLE"

And as amended, do pass. (81-6)

That HB 577 do pass. (83-3)

That HB 581 do pass. (81-2)

Oberg present at this time.

That HB 585 do pass. (74-15)

Shelden present at this time.

That HB 590 do pass. (65-18)

That HB 593 do pass. (78-8)

Sivertsen moved that HB 615 be placed under HB 145 on the Second Reading board this day. Motion carried.

That HB 619 do pass. (83-0)

Dussault moved that HB 692 pass consideration until the Forty-third Legislative Day. Motion carried.

That HB 701 do pass. Motion failed. (35-56)

That HB 701 do not pass. (58-33)

That HB 705, second reading copy, be amended as follows: (82-2)

1. Title, line 6.
Following: "A"
Strike: "STATE"

And as amended, do pass. (79-9)

That HB 707 do pass. (80-4)

Dussault moved that the Committee rise and report and beg leave to sit again. (Kvaalen, Chairman). Report adopted. (80-4)

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/20/79
Correctly enrolled - HB 37.

Will be signed by the Speaker on adjournment, 2/20/79 - HB 37.

Examined by the Sponsor and found to be correct - HB 37.

Do Pass

AGRICULTURE, LIVESTOCK AND IRRIGATION (Day, Chairman): 2/19/79
HB 849, do pass. Report adopted.
HB 863, do pass. Report adopted.

BUSINESS AND INDUSTRY (Quilici, Chairman): 2/20/79
HB 649, do pass. Report adopted.
HJR 49, do pass. Report adopted.

FISH AND GAME (Staigmiller, Chairman): 2/20/79
HB 420, do pass. Report adopted.
HB 575, do pass. Report adopted.

STATEMENT OF INTENT RE: House Bill No. 575

It is the intent of the legislature that when making rules authorized by this enactment the Fish and Game Commission makes rules for the procedures for the presentation and investigation of claims and for appeal of denials and such other rules necessary to fulfill the purposes of this act.

/s/Staigmiller

HB 767, do pass. Report adopted.
HJR 6, do pass. Report adopted.

JUDICIARY (Scully, Chairman): 2/20/79
HB 732, do pass. Report adopted.
HB 746, do pass. Report adopted.
HB 747, do pass. Report adopted.
HB 797, do pass. Report adopted.
HB 801, do pass. Report adopted.
HB 803, do pass. Report adopted.
HB 820, do pass. Report adopted.
HB 833, do pass. Report adopted.
HB 836, do pass. Report adopted.
HB 840, do pass. Report adopted.
HB 845, do pass. Report adopted.
HB 861, do pass. Report adopted.
HB 870, do pass. Report adopted.
HB 877, do pass. Report adopted.

LOCAL GOVERNMENT (H. Robbins, Chairman): 2/20/79

HB 391, do pass. Report adopted.
HB 404, do pass. Report adopted.
HB 490, do pass. Report adopted.
HB 698, do pass. Report adopted. 2/19/79
HB 851, do pass. Report adopted. 2/20/79

NATURAL RESOURCES (Shelden, Chairman): 2/20/79
HB 2, do pass. Report adopted.

STATEMENT OF INTENT RE: House Bill No. 2

The intent of this act is to cause maximum return of beverage containers with minimum adverse impact on consumers, retailers, and distributors. A retailer should be allowed the discretion to refuse redemption of an otherwise acceptable container where (a) a redemption center exists with its primary purpose to redeem single metal containers in a manner convenient to consumers, and (b) a container is offered in a clearly unsanitary condition and the retailer judges its acceptance would create a health hazard. A distributor may under no circumstance refuse redemption of a beverage container meeting specifications, but may establish means of reimbursing retailers and redemption centers electing to retain redeemed containers together with such verification as is necessary to insure that such retained containers are not reredeemed. The educational program should use only existing state informational materials unless the department concludes that supplemental materials are necessary to explain the purpose of the deposit and the manner by which containers can be redeemed.

/s/Shelden

HB 329, do pass. Report adopted.
HB 694, introduced bill, be amended as follows:

1. Page 2.
Following: line 5
Insert: "(2) The application must state the name and address of the applicant and facts tending to show that:

(i) the diversion and ultimate use of the water is for a beneficial use of water under the laws of Montana;

(ii) the water will not be used outside Montana in the case of water allocated to Montana;

(iii) the property, rights, or interests of the objector would not be adversely affected by the proposed diversion;

(iv) the diversion and ultimate use of the water is in the public interest of Montana."
Renumber: subsequent subsections

2. Page 2, line 10.
Strike: "objection"
Insert: "objector"
Following: "state"
Strike: "the"
Insert: "his"
Strike: "of"

3. Page 2, line 11.
Strike: "the objector"

4. Page 2, line 12.

Strike: "is"
Insert: "and ultimate use of the water are"

5. Page 2, lines 14 and 15.
Strike: lines 14 and 15 in their entirety
Renumber: subsequent subsections

6. Page 2, line 19.
Strike: "is"
Insert: "and ultimate use of the water are"

7. Page 3, line 1.
Following: "objections"
Strike: ", after service"
Insert: ". Service"
Following: "hearing"
Insert: "must be made"

8. Page 3, line 10.
Strike: "is"
Insert: "and the ultimate use of the water are"

9. Page 3, line 15.
Strike: "is"
Insert: "and the ultimate use of the water are"

10. Page 3, line 24.
Following: "safety"
Strike: "."
Insert: "; and"

11. Page 3.
Following: line 24
Insert: "(d) the probable environmental impact of the proposed diversion."

12. Page 4, line 23.
Following: "(this act)."
Insert: "However, the board may not consent to the diversion of Montana water out of the basin for ultimate use in a facility located in Montana as defined in Title 75, chapter 20, prior to the board's issuance of a certificate for the facility in accordance with Title 75, chapter 20."

And as amended, do pass. Report adopted.

HB 742, do pass. Report adopted.
HB 759, do pass. Report adopted.
HB 785, do pass. Report adopted.

STATEMENT OF INTENT RE: House Bill No. 785

HB 785 formally establishes the Historic Preservation Office and identifies its duties and responsibilities. This bill is not creating a new office, but simply renames the old one to conform with the accepted title shared by similar offices in states throughout the country. The duties and responsibilities are also the same and are those established by federal rules and regulations for Historic Preservation Offices in all states and trust territories. Such duties and responsibilities are necessary for the state to qualify for historic preservation grant monies appropriated by Congress each year.

HB 785 requires that the State Historic Preservation Office maintain the required staffing to assure that federal funds will continue to come into Montana. As written, the committee is assured that the State Historic

Preservation Office must meet the requirements, even if changes should be made when the legislature is not in session.

The proposed bill departs from the current Antiquities Act in the establishment of a Preservation Review Board, in concert with the federal designation.

The proposed Review Board will be increased to nine members, of which a majority are professionals trained in fields relating to historic preservation and archaeology. The bill mandates that one member will be the State Liaison Officer for the federal Land and Water Conservation Fund, and although it is not a federal requirement, the inclusion of the Liaison Officer is particularly important in Montana. The Liaison Officer is the Parks Director at the Department of Fish and Game, and since many of the state parks and monuments are established around historic sites, participation of the Liaison Officer on the Review Board is crucial in coordinating efforts in the state.

The proposed legislation continues the Antiquities Permit section as exists in the current Antiquities Act, but this bill will clarify provisions for who qualifies for a permit and the permit system is expanded to include all state lands rather than only registered properties.

HB 785 will substitute the National Register of Historic Places for the little-known state register as the official listing of important historic or heritage properties. The adoption of the National Register designation will simplify the registering system and avoid needless duplication of efforts.

The proposed bill continues the penalties sections but increases protection for private landowners and allows prosecution for violation on private lands.

Most importantly, the bill provides for state agency participation in the protection of heritage properties through a coordinated effort with the Historic Preservation Office. Coordination and cooperation is essential in assuring adequate consideration of heritage properties and paleontological remains in the everyday affairs of state government.

Section 6 authorizes the historic preservation officer to carry out and enforce the provisions of sections 3 through 16. This may be done by rule. Sections 9 through 11 require state agencies to participate in this program through development of procedures to include evaluation of heritage properties and paleontological remains in agency decision making. These procedures may be adopted by rule.

/s/Shelden

HB 816, do pass. Report adopted.
HB 823, do pass. Report adopted.
HJR 36, do pass. Report adopted.
HJR 45, do pass. Report adopted.

SELECT COMMITTEE ON WATER (Day, Chairman): 2/19/79
HB 842, do pass. Report adopted.
HJR 48, do pass. Report adopted.

TAXATION (Huennekens, Chairman): 2/20/79
HB 882, do pass. Report adopted.

Adverse Committee Reports

AGRICULTURE, LIVESTOCK AND IRRIGATION (Day, Chairman): 2/20/79
HB 772, do not pass.

BUSINESS AND INDUSTRY (Quilici, Chairman): 2/20/79
HB 822, do not pass.
HB 832, do not pass.

HB 843, do not pass.
HB 857, do not pass.
HB 862, do not pass.
HB 872, do not pass.

FISH AND GAME (Staigmiller, Chairman): 2/20/79
HB 623, do not pass.
HJR 29, do not pass.

JUDICIARY (Scully, Chairman): 2/20/79
HB 798, do not pass.

STATEMENT OF INTENT RE: House Bill No. 798

A Statement of Intent is required for HB 798 because the bill grants rulemaking authority to the Department of Institutions for the purpose of developing standards for jails that detain juveniles.

Section 41-5-306 MCA of the Youth Court Act states that youths may be detained in a jail or other facility for the detention of adults only if: (a) the facilities (normally used) for youth shelter, care or detention are not available or do not provide adequate security; (b) the detention is in an area physically and visually separate and removed from those of adults; (c) it appears to the satisfaction of the court that public safety and protection reasonably require detention; and (d) the court so orders.

While it is currently the responsibility of the department to inspect jails, and the department already has developed standards for adult detention, it is the intent of the legislature that in accordance with the Administrative Procedures Act the Department of Institutions be allowed to establish any additional minimum standards for county jails in which juveniles may be detained, to assure that such facilities are appropriate for the detention of juveniles.

/s/Scully

HB 799, do not pass.
HB 812, do not pass.
HB 831, do not pass.
HB 865, do not pass.
HB 878, do not pass.

LOCAL GOVERNMENT (H. Robbins, Chairman): 2/19/79
HB 662, do not pass.

NATURAL RESOURCES (Shelden, Chairman): 2/20/79
HB 444, do not pass.
HB 684, do not pass.
HJR 30, do not pass.

Johnston, Pistoria, Fabrega, Teague, Pavlovich, Manning, Hand, Marks, K. Robbins, Staigmiller objected that HB 559 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

Ellison, Nathe, Burnett, Donaldson, Curtiss, Moore, Quilici, Conroy, Iverson, Scully objected that HB 684 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

MOTIONS

Dussault moved that HB 537 be taken from Second Reading and referred to the Committee on Appropriations.

Dussault moved that HB 692 be placed on Second Reading this day, after HB 771. Motion carried.

House recessed at 4:46 p.m.

House reconvened at 4:55 p.m.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Kvaalen in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 708, second reading copy, be amended as follows: (79-0)

1. Page 2, line 17.
Following: "insurance"
Insert: ", a certificate of self-insurance, a posted indemnity bond, or an exemption under [section 3]"

2. Page 2, line 24.
Following: "insurance"
Insert: "or bond"
Following: "required"
Insert: "or whose certificate of self-insurance is cancelled or whose vehicle ceases to be exempt"

3. Page 4, line 10.
Following: "[section 1]"
Insert: "or is operating a vehicle exempt under [section 3]"

And as amended, do pass. (91-1)

That HB 733 do pass. (85-1)

That HB 735 do pass. (87-0)

That HB 736, introduced bill, be amended as follows: (80-0)

1. Title, line 5.
Following: "LICENSED LIVESTOCK"
Strike: "MARKETS"
Insert: "SLAUGHTERHOUSES"

And as amended, do pass. (83-0)

That HB 755 do pass. (87-1)

That HB 756 do pass. (88-1)

That HB 771 do pass. (87-1)

That HB 692 do pass. Motion failed. (46-47)

That HB 692 do not pass. Motion failed. (33-62)

Dussault moved that the House reconsider its action in failing to adopt the first do pass motion on HB 692. Motion carried. (80-18)

That the Committee rise and report and beg leave to sit again. (Kvaalen, Chairman). Report adopted. (87-2)

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/20/79
Correctly printed - HJR 37.

Do Pass

HIGHWAYS AND TRANSPORTATION (Baeth, Chairman): 2/20/79
HB 778, do pass. Report adopted.
HB 780, do pass. Report adopted.
HB 787, do pass. Report adopted.
HB 850, do pass. Report adopted.
HJR 34, do pass. Report adopted.
HJR 43, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Williams, Chairman): 2/20/79
HB 757, do pass. Report adopted.
HB 766, do pass. Report adopted.
HB 805, do pass. Report adopted.
HB 856, do pass. Report adopted.

LOCAL GOVERNMENT (H. Robbins, Chairman): 2/19/79
HB 245, introduced bill, be amended as follows:

1. Page 2, line 12.
Following: "not"
Strike: ":"

2. Page 2, lines 13 and 14.
Strike: lines 13 and 14 in their entirety

3. Page 2, line 15.
Strike: "(b)"

4. Page 2.
Following: line 16
Insert: "(6) If a majority of the resident freeholders owning the land to be annexed protest the annexation by petition within 60 days, the annexation shall not occur and the local governing body may not again initiate annexation of the same land sooner than 1 year subsequent to such a petition.

(7) Any land annexed pursuant to subsection (5) of this section shall receive municipal fire protection, as well as all other city services, as of the effective date of the annexation, unless objected to as hereinafter provided:

(a) A majority of the resident freeholders within the newly annexed area may request to continue to receive rural fire protection in lieu of municipal fire protection by submitting a petition to that effect to the city or town council within 60 days of the council's adoption of the annexation resolution.

(b) If the petition requesting rural fire protection is signed by a majority of the resident freeholders within the newly annexed area, fire protection will continue to be provided by the rural fire department.

(c) If, at any time after the 60-day petition period, the resident freeholders of an area annexed pursuant to this section, which has

retained rural fire protection, desire municipal fire protection, the question of who will provide fire protection may be submitted to a vote as hereinafter provided:

(i) Fifteen percent of the resident freeholders may by a petition submitted to the city council request the city to submit the question of who will provide fire protection for the area to the voters of the area at the next municipal election.

(ii) If a majority of those voting on the question elect to have fire service provided by the municipality, such decision shall be binding and not subject to further petitions or elections.

(d) Whenever rural fire protection is continued in a newly annexed area, the rural volunteer fire protection shall be funded through a county mill levy. Property owners within the area served shall not pay the equivalent of the city or town tax levy which would have supported the municipal fire service."

And as amended, do pass. Report adopted.

HB 476, introduced bill, be amended as follows:

1. Page 2.
Following: line 19
Strike: lines 20 through 23 in their entirety
Insert: "(2) No person is eligible for the office of county coroner if he practices, or will practice during his term, as a licensed funeral director or mortician, or if he has or will have during his term, a financial interest in a mortuary as defined in 37-19-101, a cemetery, crematorium, memorial society or any other organization that cares for the remains of deceased persons.

(3) Deputy coroners shall also meet the qualifications in subsection (2)."
Renumber: subsequent subsections

2. Page 3.
Following: line 5
Insert: "Section 3. Codification. This act is intended to be codified as an integral part of Title 7, chapter 4, part 25, and the provisions contained in Title 7, chapter 4, part 29, shall apply to this act."

And as amended, do pass. Report adopted.

HB 494, do pass. Report adopted. 2/20/79
HB 565, introduced bill, be amended as follows: 2/19/79

1. Page 5.
Following: line 6
Insert: "SECTION 2. THERE IS A NEW MCA SECTION THAT READS:

Notice, hearing and protest requirements. (1) When a municipality is required to give notice of a hearing, or other official act, the requirement may be met by:

(a) deposit of the notice in the United States mail with postage paid at the first-class rate and envelope properly addressed; or

(b) sending the notice by registered or certified mail rather than first class.

(2) When a municipality is required to conduct a public hearing, at a minimum the hearing shall provide for the submission of both oral and written testimony for or against the action or matter at issue. Petitions and letters received by the governing body or chief executive prior to the hearing shall be entered into the minutes of the governing body and considered as other testimony at the hearing.

(3) (a) Whenever a protest is authorized, it is sufficient if it is in writing, signed, and contains the following:

(i) a description of the action protested sufficient to identify the action against which the protest is lodged;

(ii) a statement of the protester's qualifications to protest the action against which the protest is lodged, including ownership of property affected by the action;

(iii) the address of the person protesting.

(b) The protest may contain the signatures of more than one person, each of which is a valid protest by each signer."

Renumber: subsequent sections

2. Page 25, line 17.
Following: "of"
Strike: "a"
Insert: "an annexation or"

3. Page 25, line 19.
Following: "the"
Insert: "annexed or"

4. Page 25, line 19.
Following: "be"
Insert: "annexed or"

5. Page 25, line 24.
Following: "in"
Strike: "[section 17]"
Insert: "[this act]"

6. Page 26, line 13.
Following: "for"
Insert: "annexation or"

7. Page 26, line 16.
Following: "for"
Insert: "annexation or"

8. Page 26, line 16.
Following: "in"
Strike: "[section 17]"
Insert: "[this act]"

9. Page 26, line 22.
Following: "of the"
Insert: "annexation or"

10. Page 26, line 25.
Following: "permit"
Insert: "annexation or"

11. Page 27, line 8.

Following: "of"
Strike: "[section 17]"
Insert: "[this act]"

12. Page 27, line 18.
Following: "of"
Strike: "[section 17]"
Insert: "[this act]"

13. Page 27, line 22.
Following: ", the"
Insert: "annexation or"

14. Page 28, line 4.
Following: "the"
Insert: "annexation or"

15. Page 28, line 7.
Following: "permit"
Insert: "annexation or"

16. Page 28, line 9.
Following: "be"
Insert: "annexed or"

17. Page 28, line 12.
Following: "area"
Insert: "annexed or"

18. Page 28, line 13.
Following: "of"
Strike: "a"
Insert: "an annexation or"

19. Page 29, line 19.
Following: "~~7-2-4714~~"
Strike: "[sections 1 through 16]"
Insert: "[section 3]"

And as amended, do pass. Report adopted.

HB 616, do pass. Report adopted. 2/20/79
HB 644, do pass. Report adopted.
HJR 14, do pass. Report adopted.

RULES (Dussault, Chairman): 2/20/79
HB 847, do pass. Report adopted.

STATE ADMINISTRATION (Brand, Chairman): 2/19/79
HB 386, introduced bill, be amended as follows:

1. Page 1, line 24.
Following: "~~exceeding~~"
Strike: "$18"
Insert: "the actual cost of lodging not exceeding $21"

2. Page 1, line 25.
Following: "excess of"
Strike: "$18"
Insert: "$21"

3. Page 1, line 24 through page 2, line 1.
Following: "day"

Strike: "for lodging plus the actual cost of lodging in excess of $18 per day when the claim is supported by an appropriate receipt,"
Insert: "except as provided in subsection (2)(c)."

4. Page 2, line 2.
Following: "~~$2~~"
Strike: "$3"
Insert: "$2"

5. Page 2, line 2.
Following: "~~$3~~"
Strike: "$4.50"
Insert: "$3.50"

6. Page 2, line 3.
Following: "~~$5~~"
Strike: "$7.50"
Insert: "$6.50"

7. Page 2, line 3.
Following: "meal."
Insert: "All claims for lodging expense reimbursement allowed under this section must be documented by an appropriate receipt."

8. Page 2, line 13.
Following: "~~$37~~"
Strike: "$45"
Insert: "$40"

9. Page 2, line 14.
Following: "~~$3~~"
Strike: "$4"
Insert: "$3"

10. Page 2, line 14.
Following: "~~$4~~"
Strike: "$5.50"
Insert: "$5"

11. Page 2.
Following: line 17
Insert: "(c) All elected state officials, appointed members of boards, commissioners, council, department directors, and all other state employees shall be authorized the actual cost of lodging when traveling in the normal course of their duties to certain designated areas. The department of administration shall designate those areas in the United States where the actual cost of lodging shall be reimbursed."

And as amended, do pass. Report adopted.

HB 579, do pass. Report adopted. 2/20/79
HB 695, do pass. Report adopted.

STATEMENT OF INTENT RE: House Bill No. 695

A Statement of Intent is required for this bill in that it delegates authority to the Commissioner of Labor and Industry to adopt rules in Section 7.

It is the intent of the legislature that the Commissioner of Labor and Industry adopt rules for the administration of House Bill 695. The rules adopted by the Commissioner are intended to ensure that persons

employed in public work projects are properly classified as either journeymen or apprentices in public work contracts. The legislature intends that persons employed in public work projects receive the standard prevailing rate of wages equal to the applicable wage rate negotiated under collective bargaining agreements in the area for which the particular jobs in question are performed. The Commissioner is expected to adopt rules that provide for the implementation of new wage rates into public work projects negotiated between the implementation and completion of such projects.

/s/Brand

HB 762, do pass. Report adopted.
HB 859, do pass. Report adopted.
HB 886, do pass. Report adopted.
HJR 40, do pass. Report adopted.
HJR 41, do pass. Report adopted.

Adverse Committee Reports

HIGHWAYS AND TRANSPORTATION (Baeth, Chairman): 2/20/79
HB 364, do not pass.
HB 776, do not pass.

NATURAL RESOURCES (Shelden, Chairman): 2/20/79
HB 563, do not pass.

LOCAL GOVERNMENT (H. Robbins, Chairman): 2/20/79
HB 249, do not pass.
HB 710, do not pass.

STATE ADMINISTRATION (Brand, Chairman): 2/20/79
HB 614, do not pass.
HB 627, do not pass.
HB 680, do not pass.
HB 703, do not pass.
HB 781, do not pass.
HB 789, do not pass.
HB 804, do not pass.
HB 809, do not pass.
HB 854, do not pass.
HJR 47, do not pass.

On motion by Brand, the Adverse Committee Report on HB 419 was adopted by the following vote: (79-9)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Gesek, Gilligan, Gould, Hand, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, Magone, Manning, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Teague, Thoft, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 79

Noes: Feda, Frates, Harper, Hayne, Hemstad, McBride, Tropila, Uhde, Vinger.
Total 9

Excused: None.

Total 0

Absent or not voting: Burnett, Conroy, Dassinger, Kvaalen, Manuel, Marks, Meyer, Reichert, H. Robbins, K. Robbins, Spilker, Stobie.
Total 12

On motion by Reichert, the Adverse Committee Report on HB 535 was adopted by the following vote: (73-19)

Ayes: Anderson, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellison, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, McBride, Magone, Manning, Menahan, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pistoria, Porter, Quilici, Reichert, K. Robbins, Sales, Schultz, Scully, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 73

Noes: Bengtson, Donaldson, Ellis, Ernst, Gould, Hand, Johnston, Lien, Manuel, Metcalf, Pavlovich, Ramirez, Rosenthal, Roth, Sivertsen, Teague, Tropila, Uhde, Vinger.
Total 19

Excused: None.
Total 0

Absent or not voting: Azzara, Burnett, Conroy, Ellerd, Hurwitz, Marks, Meyer, H. Robbins.
Total 8

On motion by Brand, the Adverse Committee Report on HB 552 was adopted by the following vote: (47-44)

Ayes: Baeth, Bardanouve, Bennett, Bertelsen, Brand, Curtiss, Daily, Dassinger, Day, Dozier, Ellis, Eudaily, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hemstad, Jensen, Kanduch, Kemmis, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Meyer, Moore, Pavlovich, Pistoria, Quilici, K. Robbins, Scully, Seifert, Shelden, Smith, Staigmiller, Thoft, Tropila, Williams, Wood, Yardley, Mr. Speaker.
Total 47

Noes: Anderson, Bengtson, Cooney, Donaldson, Dussault, Ellerd, Ellison, Ernst, Fabrega, Fagg, Feda, Harper, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Johnson, Johnston, Keedy, Kessler, Keyser, McBride, Menahan, Metcalf, Nathe, Nordtvedt, Porter, Ramirez, Reichert, Rosenthal, Sales, Schultz, Sivertsen, South, Spilker, Stobie, Teague, Uhde, Underdal, Vincent, Vinger, Waldron, Wyrick.
Total 44

Excused: None.
Total 0

Absent or not voting: Azzara, Burnett, Conroy, Iverson, Marks, Oberg, O'Connell, H. Robbins, Roth.
Total 9

On motion by Brand, the Adverse Committee Report on HB 576 was adopted by the following vote: (63-31)

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Curtiss, Day, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily,

Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Hayne, Hemstad, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Meyer, Moore, Nathe, Pavlovich, Porter, Quilici, Reichert, K. Robbins, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Thoft, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.
Total 63

Noes: Azzara, Cooney, Daily, Dassinger, Dozier, Dussault, Frates, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnson, Keedy, Kemmis, McBride, Manuel, Menahan, Metcalf, Nordtvedt, Oberg, Ramirez, Rosenthal, Seifert, South, Teague, Tropila, Uhde, Vincent, Waldron, Yardley.
Total 31

Excused: None.
Total 0

Absent or not voting: Burnett, Conroy, Marks, O'Connell, Pistoria, H. Robbins.
Total 6

On motion by Holmes, the Adverse Committee Report on HB 587 was adopted by the following vote: (76-20)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Daily, Day, Donaldson, Dozier, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gilligan, Hand, Harrington, Hayne, Hemstad, Hirsch, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Menahan, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 76

Noes: Cooney, Curtiss, Dassinger, Dussault, Ellis, Frates, Gould, Harper, Holmes, Huennekens, Johnson, Keedy, Kessler, McBride, Metcalf, Reichert, K. Robbins, Teague, Vincent, Waldron.
Total 20

Excused: None.
Total 0

Absent or not voting: Burnett, Conroy, Marks, H. Robbins.
Total 4

On motion by Brand, the Adverse Committee Report on HB 588 was adopted by the following vote: (64-28)

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Curtiss, Daily, Day, Donaldson, Dozier, Ellerd, Ellis, Eudaily, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Menahan, Meyer, Nathe, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, K. Robbins, Roth, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Underdal, Williams, Mr. Speaker.
Total 64

Noes: Burnett, Cooney, Dussault, Ellison, Ernst, Fabrega, Fagg, Holmes, Huennekens, Keedy, Keyser, Kropp, Manuel, Metcalf, Moore, Nordtvedt,

Porter, Rosenthal, Sales, Schultz, Teague, Uhde, Vincent, Vinger, Waldron, Wood, Wyrick, Yardley.
Total 28

Excused: None.
Total 0

Absent or not voting: Azzara, Conroy, Dassinger, Marks, Oberg, H. Robbins, Scully, Shelden.
Total 8

On motion by Reichert, the Adverse Committee on HB 628 was adopted by the following vote: (78-17)

Ayes: Anderson, Baeth, Bertelsen, Burnett, Curtiss, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Harper, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 78

Noes: Bardanouve, Bengtson, Bennett, Brand, Cooney, Daily, Dassinger, Gould, Hand, Harrington, Huennekens, Johnson, Manning, O'Connell, Pavlovich, Rosenthal, Teague.
Total 17

Excused: None.
Total 0

Absent or not voting: Azzara, Conroy, Kessler, Marks, H. Robbins.
Total 5

On motion by Brand, the Adverse Committee Report on HB 664 was adopted by the following vote: (68-25)

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Day, Donaldson, Dozier, Ellerd, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Harper, Harrington, Hayne, Hemstad, Hirsch, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, Pavlovich, Porter, Ramirez, K. Robbins, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Underdal, Vincent, Williams, Wyrick, Yardley, Mr. Speaker.
Total 68

Noes: Burnett, Cooney, Curtiss, Daily, Dassinger, Dussault, Ellis, Ellison, Fabrega, Gould, Hand, Holmes, Huennekens, Johnston, Keyser, Moore, Pistoria, Quilici, Reichert, Rosenthal, Tropila, Uhde, Vinger, Waldron, Wood.
Total 25

Excused: None.
Total 0

Absent or not voting: Azzara, Conroy, Marks, O'Connell, H. Robbins, Scully, Teague.
Total 7

On motion by Scully, the Adverse Committee Report on HB 777 was adopted by the following vote: (78-18)

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Hayne, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 78

Noes: Brand, Dassinger, Dussault, Fabrega, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Keedy, Kemmis, McBride, Meyer, Reichert, South, Uhde, Vincent.
Total 18

Excused: None.
Total 0

Absent or not voting: Azzara, Conroy, Marks, H. Robbins.
Total 4

On motion by Brand, the Adverse Committee Report on HJR 35 was adopted by the following vote: (62-34)

Ayes: Bardanouve, Bennett, Bertelsen, Brand, Burnett, Conroy, Daily, Day, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Gilligan, Gould, Hand, Hayne, Hirsch, Hurwitz, Iverson, Jensen, Kanduch, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Thoft, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.
Total 62

Noes: Anderson, Azzara, Baeth, Cooney, Curtiss, Dassinger, Dozier, Dussault, Fabrega, Frates, Gesek, Harper, Harrington, Hemstad, Holmes, Huennekens, Johnson, Johnston, Keedy, Kemmis, McBride, Manuel, Menahan, Metcalf, Oberg, Reichert, Shelden, South, Teague, Tropila, Uhde, Vincent, Waldron, Yardley.
Total 34

Excused: None.
Total 0

Absent or not voting: Bengtson, Marks, H. Robbins, Seifert.
Total 4

Consent Calendar

Bill unanimously passed in committee and unanimously placed on Consent Calendar:

STATE ADMINISTRATION (Brand, Chairman): 2/20/79
HJR 38, do pass. Report adopted.

No Recommendations

HIGHWAYS AND TRANSPORTATION (Baeth, Chairman): 2/20/79

HB 819, no recommendation.

LOCAL GOVERNMENT (H. Robbins, Chairman): 2/20/79
HB 320, no recommendation.

NATURAL RESOURCES (Shelden, Chairman): 2/20/79
HB 883, no recommendation.

MOTIONS

Rosenthal moved that the House reconsider its action taken this day on HB 701 on Second Reading. Motion carried. (61-37)

Dussault moved that HB 692 be taken from Second Reading and referred to the Committee on Appropriations. Motion carried.

SPECIAL ORDERS OF THE DAY

Consent Calendar

Questions were asked on HB 610.

House at ease at 6:27 p.m.

House reconvened at 7:41 p.m.

MOTIONS

Dussault moved that HB 651 be taken from Second Reading and referred to the Committee on Taxation. Motion carried.

Dussault moved that the House allow the State Administration Committee to be excused from the assembly so that the committee can finish its business this evening. Motion carried.

Scully moved that HB 835 be taken from Second Reading and referred to the Committee on Judiciary. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Kvaalen in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 786 do pass. (64-0)

That HB 810, introduced bill, be amended as follows: (62-0)

1. Page 2, line 20.
Following: "2-15-2303"
Strike: ";"
Insert: "."

2. Page 2, lines 21 and 22.
Strike: subsection (o) in its entirety

3. Page 4, line 25.
Following: "2-15-2202"
Strike: "."

Insert: ";"

4. Page 4.
Following: line 25
Insert: "(v) board of sanitarians, department of professional and occupational licensing, created by 2-15-1631."

And as amended, do pass. (66-0)

Dussault moved that HJR 15 be placed above HB 555 on the Second Reading board. Motion carried.

Dussault moved that HB 554 be placed at the bottom of the board. Motion carried.

Dussault moved that HB 717 be placed at the bottom of the board. Motion carried.

That HB 145 do pass. (53-15)

That HB 615, introduced bill, be amended as follows: (66-5)

1. Page 1, lines 13 through 21.
Following: "ditches."
Strike: remainder of lines 13 through 21 in their entirety
Insert: "No person shall, without authority of the owner or managing agent, build, construct, or erect a building or structure within the distance of 25 feet from the normal high water line of the canal or ditch used for carrying water for the purpose of irrigation or drainage or any other lawful domestic or commercial purpose or for the carrying of wastewater. Laterals shall be allowed 12 ½ feet from the centerline as a working right-of-way. The prohibition herein contained shall extend to canals or ditches, the right-of-way to which was obtained by prescription or by conveyance."

2. Page 1, lines 22 through 25.
Following: "Liability."
Strike: remainder of lines 22 through 25 in their entirety
Insert: "In any suit, at law or in equity to enforce the provisions of [this act], the successful party shall be entitled to recover from the unsuccessful party the costs of the action, including reasonable attorneys' fees expended."

And as amended, do pass. (38-35)

That HB 328 do pass. (72-0)

That HB 373 do pass. (47-29)

Moore moved that HB 387 be placed at the bottom of the board. Motion carried.

That HB 401 do pass. (70-0)

That HB 435, second reading copy, be amended as follows: (65-2)

1. Page 1, line 17.
Strike: "$500"
Insert: "$100"

And as amended, do pass. (56-20)

Yardley moved that HB 450 pass consideration for the day. Motion carried.

That HB 467 do pass. (60-9)

Nathe moved that HB 481 be placed below HB 638. Motion carried.

Dussault moved that HJR 15 be placed below HB 481. Motion carried.

That HB 555 do pass. (53-20)

That HB 582 do pass. (74-1)

That HB 589 do pass. (59-13)

That HB 591 be passed to the bottom of the board.

That HB 596 do pass. (73-2)

Dussault moved that HB 600 be placed at the bottom of the board. Motion carried.

That HB 636 do not pass. (53-24)

Dussault moved that HB 638 pass to the bottom of the board. Motion carried.

Nathe moved that HB 481 pass to the bottom of the board. Motion carried.

Kvaalen moved that the Committee of the Whole Report be deemed read. Motion carried.

That the Committee rise and report. (Kvaalen, Chairman). Report adopted. (66-3)

REPORTS OF STANDING COMMITTEES

Do Pass

JUDICIARY (Scully, Chairman): 2/20/79
HB 885, do pass. Report adopted.
HB 887, do pass. Report adopted.

Adverse Committee Reports

Holmes, Donaldson, Vincent, Bengtson, Nathe, Hand, Lund, Lory, Eudaily, Gilligan objected that HB 781 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

Harrington, Gilligan, Cooney, Menahan, H. Robbins, Vincent, Manning, Reichert, Dozier, Williams objected that HB 809 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

Burnett, Meyer, Hand, Harper, Curtiss, Thoft, Wyrick, Wood, Hurwitz, Roth objected that HB 831 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

Dussault moved that the House adjourn until 10:00 a.m., February 21, 1979.

Motion carried.

House adjourned at 9:47 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

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**Held at Helena, the Seat of Government
Commencing in Regular Session January 3, 1979,
and Ending April 20, 1979.**

Harold E. Gerke
Speaker of the House

Martha B. McGee
Chief Clerk of the House

Journal Clerk
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FORTY-THIRD LEGISLATIVE DAY

Helena, Montana
February 21, 1979

House Chambers
Capitol Building

House convened at 10:01 a.m., Mr. Speaker in the Chair. Invocation by Representative Polly Holmes. Pledge of Allegiance to the Flag.

Roll call. All members present except Spilker, excused; Day, absent. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/21/79

Dussault moved that all printing reports and Standing Committee Reports with a do pass recommendation be deemed read this day.

Considered correctly engrossed - HB 553, HB 570, HB 577, HB 581, HB 585, HB 590, HB 593, HB 619, HB 707, HB 755, HB 756, HB 771.
Correctly printed - HB 43, HB 116, HB 191, HB 244, HB 307, HB 392, HB 446, HB 480, HB 617, HB 691, HB 716.
Correctly printed - HB 76, HB 403, HB 408. 2/20/79
Correctly engrossed - HB 532, HB 567, HB 705. 2/21/79

Delivered to the Governor for his approval at 9:34 a.m., 2/21/79 - HB 37.

Signed by the Speaker, 2/20/79 - HB 37.

Do Pass

LOCAL GOVERNMENT (H. Robbins, Chairman): 2/20/79
HB 244, introduced bill, be amended as follows:

1. Title, line 9.
Following: "SECTIONS"
Insert: "75-20-211,"

2. Page 1.
Following: line 11
Insert: "SECTION 1. SECTION 75-20-211, MCA IS AMENDED TO READ:

'75-20-211. Application—filing and contents—proof of service and notice. (1) (a) An applicant for a certificate shall file with the department a verified application, in such form as the board by rule or the department by order prescribes, containing the following information:

(i) a description of the location and of the facility to be built thereon:

(ii) a summary of any studies which have been made of the environmental impact of the facility;

(iii) a statement explaining the need for the facility;

(iv) a description of any reasonable alternate location or locations for the proposed facility, a description of the comparative merits and detriments of each location submitted, and a statement of the reasons why the primary proposed location is best suited for the facility, and

(v) such other information as the applicant considers relevant or as the board by rule or the department by order requires.

(b) A copy or copies of the studies referred to in subsection (1) (a) (ii) above shall be filed with the department, if ordered, and shall be available for public inspection.

(2) An application may consist of an application for two or more facilities in combination which are physically and directly attached to each other and are operationally a single operating entity.

(3) An application shall be accompanied by proof of service of a copy of the application on the chief executive officer of each ~~municipality~~ unit of local government and the head of each government agency charged with the duty of protecting the environment or of planning land use in the area in which any portion of the facility is to be located, both as primarily and as alternatively proposed.

(4) The copy of the application shall be accompanied by a notice specifying the date on or about which the application is to be filed.

(5) An application shall also be accompanied by proof that public notice thereof was given to persons residing in the ~~municipality~~ units of local government entitled to receive notice under subsection (3) of this section by the publication of a summary of the application and the date on or about which it is to be filed in those newspapers as will serve substantially to inform those persons of the application.

~~(6) In addition, the department may, after filing, require the applicant to serve notice of the application or copies thereof, or both, upon such other persons, and file proof thereof, as the department may deem appropriate.~~'"

Renumber: subsequent sections

3. Page 1, line 17.
Following: "government"
Insert: "and government agency"

And as amended, do pass. Report adopted.

NATURAL RESOURCES (Shelden, Chairman): 2/21/79
HB 875, do pass. Report adopted.

STATEMENT OF INTENT RE: House Bill No. 875

HB 875 requires the department of agriculture to adopt rules to control the spread of Dutch elm disease in Montana. Section 3 of the bill specifies the rules that the department may adopt.

/s/Shelden

STATE ADMINISTRATION (Brand, Chairman): 2/20/79
HB 558, introduced bill, be amended as follows:

1. Page 2, line 17.
Following: "~~(3)~~"
Insert: "(2) and (3)"

2. Page 3, lines 4 and 5.
Following: "~~city~~"
Strike: "must be negotiated between each city and the administrator
"

Insert: ", in the absence of fraud, abuse of discretion, or arithmetic error, is final and binding on each city"

3. Page 3, line 11.
Following: "~~administrator~~"
Strike: "agreement between the city and"

4. Page 3, line 18.
Following: "~~years.~~"
Insert: "If any city and the administrator are unable by January 1, 1978, to negotiate and reduce to writing the terms of an agreement satisfactory to both of them for the city to amortize its excess liability, the administrator shall require such city to pay an additional sum to amortize its excess liability on July 1, 1977, over a period of not more than 40 years."

5. Page 3, line 24 through page 4, line 3.
Following: "(4)"
Strike: the remainder of subsection (4) in its entirety
Insert: "The excess unfunded liability for each city shall be revaluated by the administrator on July 1, 1980, as part of the normal actuarial valuations required in 19-9-504 reflecting the change in the contribution rates made in [section 3, 4, and 5 of this bill], and each city's funding position will be changed using the procedures of section 19-9-107. The resulting report will be made available to the cities no later than October 1, 1980.

(5) If a majority of the cities participating in the municipal police officers' retirement system do not agree with the results of the revaluation outlined in subsection (4), they may, by mutual agreement of the cities, select a qualified actuary, as defined in section 19-9-504, to perform a second actuarial valuation as of July 1, 1980, with the conclusions of the second actuarial valuation to replace the actuarial valuation discussed in subsection (4). The cost of the second actuarial valuation shall be paid by all cities participating in the system in proportion to their active membership in the system as of July 1, 1980.

(6) The time and method of settlement on the unfunded liability will be as agreed on by the administrator and the city. The minimum allowable payment must be equal to or greater than the interest due at the interest rate used in the actuarial study for the unfunded balance."

6. Page 4, line 9.
Following: "1979,"
Strike: "9%"
Insert: "7 ½%"

7. Page 5, line 1.
Following: "~~12%~~"
Strike: "13%"
Insert: "14%"

8. Page 5, line 7.
Following: "~~12%~~"
Strike: "13%"
Insert: "14%"

And as amended, do pass. Report adopted.

HB 571, introduced bill, be amended as follows: 2/19/79

1. Title, lines 8 and 9.
Following: "MCA"
Strike: "; AND PROVIDING AN EFFECTIVE DATE"

2. Page 3, line 11.
Following: "Title"
Strike: "35"
Insert: "37"

3. Page 8, line 22.
Following: "preventing"
Insert: ","

4. Page 9, line 13.
Following: "who"
Strike: "aides"
Insert: "aids"

5. Page 13, line 15.
Following: "for"
Strike: "the"

6. Page 16, line 12.
Following: "fee"
Strike: "of"

7. Page 18, line 5.
Following: "applicant,"
Insert: "and"

8. Page 18, line 6.
Following: "revoke"
Insert: ","

9. Page 19, line 1.
Following: "therapy;"
Strike: "or"

10. Page 19, line 17.
Following: "unless"
Strike: "such"
Insert: "the"

11. Page 20.
Following: line 6
Strike: lines 7 and 8 in their entirety

And as amended, do pass. Report adopted.

STATEMENT OF INTENT RE: House Bill No. 571

House Bill 571 creates a Board of Physical Therapists. The board would be allowed rulemaking authority.

It is the intent of the legislature that any rules adopted by the board be limited to:

(1) establishing minimum state requirements and educational standards for those persons practicing physical therapy in Montana;

(2) assuring physicians practicing in any branch of medicine, hospitals, and employing agencies that the persons practicing physical therapy are qualified; and

(3) protecting persons needing physical therapy from fraudulent physical therapists by establishing licensing requirements which ensure that only competent physical therapists practice in Montana.

/s/Brand

HB 827, do pass. Report adopted. 2/20/79
HB 846, do pass. Report adopted.
HB 853, do pass. Report adopted.

Adverse Committee Reports

Nordtvedt, Sales, Ellerd, Bennett, Keedy, Kemmis, Fabrega, Iverson, Hemstad, Reichert objected that HB 614 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

MESSAGES FROM THE GOVERNOR

The Honorable Harold Gerke 2/20/79
Speaker
Montana House of Representatives
Helena, Montana 59601

Dear Speaker Gerke:

This is to inform you that I have signed the following measures this date:

House Bill Nos. 27, 59, 74.

Sincerely,

Thomas L. Judge
Governor

MESSAGES FROM THE OTHER HOUSE

Senate Bills and Senate Joint Resolution passed as amended and transmitted to the House for concurrence: 2/20/79

Senate Bill No. 356, introduced by Towe, Norman

Senate Bill No. 2, introduced by Blaylock, Bob Brown

Senate Bill No. 61, introduced by Norman

Senate Bill No. 100, introduced by Norman, Menahan

Senate Bill No. 229, introduced by McCallum

Senate Bill No. 353, introduced by McCallum

Senate Bill No. 377, introduced by Palmer, Regan, Boylan

Senate Bill No. 383, introduced by Thomas

Senate Joint Resolution No. 13, introduced by Blaylock, Regan, Hazelbaker, et al

Senate Bills and Senate Joint Resolutions passed and transmitted to the House for concurrence: 2/20/79

Senate Bill No. 317, introduced by Thomas

Senate Bill No. 344, introduced by Roskie, Story, et al

Senate Bill No. 380, introduced by Hafferman, Towe, Turnage

Senate Bill No. 396, introduced by Kolstad, Galt

Senate Bill No. 397, introduced by McCallum, S. Brown

Senate Bill No. 398, introduced by Boylan

Senate Bill No. 399, introduced by Hager

Senate Bill No. 408, introduced by Peterson, Lowe, et al

Senate Bill No. 421, introduced by Goodover, Peterson, et al

Senate Bill No. 423, introduced by Van Valkenburg

Senate Bill No. 427, introduced by Turnage, Story, et al

Senate Bill No. 435, introduced by Mehrens, Healy, et al

Senate Bill No. 436, introduced by Graham, Manley, et al

Senate Bill No. 450, introduced by Committee on Highways and Transportation

Senate Bill No. 454, introduced by Stimatz

Senate Joint Resolution No. 17, introduced by Manley, Bertelsen, Ryan

Senate Joint Resolution No. 21, introduced by Jergeson, Galt, et al

Senate Joint Resolution No. 24, introduced by Turnage, Peterson, et al

MOTIONS

Kessler moved a Call of the House. Sufficient seconds arose and a Call of the House was ordered. Roll was taken with 98 representatives present, Spilker excused and Hirsch absent. After all representatives were accounted for, Dussault moved that the Call of the House be removed. Motion carried. (91-6)

Kessler moved that the House reconsider its action taken on Third Reading on the Forty-first Legislative Day in failing to pass HB 274, and that HB 274 be placed on Third Reading this day. Discussion followed. Ellerd moved the previous question. Motion carried. (54-36) Thereupon, Kessler's motion carried. (54-36)

Nordtvedt moved that HB 274 be taken from Third Reading and returned to Second Reading. Motion failed. (28-66)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time and referred to committee:

HB 888, introduced by Scully. Referred to Committee on Appropriations.

The following Senate bills were introduced, read first time and referred to committees:

SB 2, introduced by Blaylock, B. Brown. Referred to Committee on Education and Cultural Resources.

SB 61, introduced by Norman, (By Request of the Department of Institutions). Referred to Committee on Human Services.

SB 100, introduced by Norman, Menahan, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Human Services.

SB 229, introduced by McCallum. Referred to Committee on Local Government.

SB 317, introduced by Thomas. Referred to Committee on Appropriations.

SB 344, introduced by Roskie, Story, Jergeson, Fasbender, (By Request of the Department of Administration). Referred to Committee on State Administration.
SB 353, (introduced by Local Government Committee), McCallum, Chairman. Referred to Committee on Local Government.
SB 356, introduced by Towe, Norman. Referred to Committee on Local Government.
SB 377, introduced by Palmer, Regan, Boylan. Referred to Committee on Human Services.
SB 380, introduced by Hafferman, Towe, Turnage. Referred to Committee on Judiciary.
SB 383, introduced by Thomas. Referred to Committee on Business and Industry.
SB 396, introduced by Kolstad, Galt. Referred to Committee on Agriculture, Livestock and Irrigation.
SB 397, introduced by McCallum, S. Brown. Referred to Committee on Judiciary.
SB 398, introduced by Boylan, (By Request of the Department of Revenue). Referred to Committee on Human Services.
SB 399, introduced by Hager. Referred to Committee on Business and Industry.
SB 408, introduced by Peterson, Lowe, Kolstad, Regan. Referred to Committee on Business and Industry.
SB 421, introduced by Goodover, Peterson, Lowe, Hafferman, Thomas, Healy, Roskie, Ryan, Mehrens. Referred to Committee on Business and Industry.
SB 423, introduced by Van Valkenburg, (By Request of the Code Commissioner). Referred to Committee on Judiciary.
SB 427, introduced by Turnage, Story, R. Smith, Peterson, (By Request of the Administrative Code Committee). Referred to Committee on Business and Industry.
SB 435, introduced by Mehrens, Healy, Peterson, Stimatz. Referred to Committee on Highways and Transportation.
SB 436, introduced by Graham, Manley, Mathers, Galt. Referred to Committee on Agriculture, Livestock and Irrigation.
SB 450, (introduced by Committee on Highways and Transportation). Referred to Committee on Highways and Transportation.
SB 454, introduced by Stimatz. Referred to Committee on Judiciary.
SJR 13, introduced by Blaylock, Regan, Hazelbaker, Towe, Manning, B. Brown, Stimatz, Jergeson. Referred to Committee on Education and Cultural Resources.
SJR 17, introduced by Manley, Bertelsen, Ryan. Referred to Committee on Education and Cultural Resources.
SJR 21, introduced by Jergeson, Galt, Norman, Kolstad, E. Smith, B. Brown, Cooney, Hirsch, Vincent. Referred to Committee on Fish and Game.
SJR 24, introduced by Turnage, Peterson, Story, R. Smith, (By Request of the Administrative Code Committee). Referred to Committee on Business and Industry.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 179 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek,

Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Cooney, Uhde.
Total 2

Excused: Spilker.
Total 1

Absent or not voting: Bardanouve, Ellerd, Sales, Wood.
Total 4

House Bill No. 233 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Spilker.
Total 1

Absent or not voting: Ellerd, Sales.
Total 2

House Bill No. 260 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: Pistoria.

Total 1

Excused: Spilker.
Total 1

Absent or not voting: Ellerd.
Total 1

House Bill No. 278 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Spilker.
Total 1

Absent or not voting: Ellerd, Fagg.
Total 2

House Bill No. 371 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Spilker.
Total 1

Absent or not voting: Ellerd.
Total 1

House Bill No. 406 was passed by the following vote:

Ayes: Anderson, Bengtson, Bennett, Brand, Burnett, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Ellison, Ernst, Eudaily, Fabrega, Feda, Gesek, Gilligan, Gould, Hand, Hayne, Hemstad, Hirsch, Hurwitz, Iverson,

Jensen, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, K. Robbins, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vinger, Williams, Wood, Wyrick, Yardley.
Total 69

Noes: Azzara, Baeth, Bardanouve, Bertelsen, Cooney, Dozier, Dussault, Ellis, Fagg, Frates, Harper, Harrington, Holmes, Huennekens, Johnson, Keedy, Kemmis, Kessler, McBride, Metcalf, Nordtvedt, Reichert, H. Robbins, Rosenthal, Shelden, Uhde, Vincent, Waldron, Mr. Speaker.
Total 29

Excused: Spilker.
Total 1

Absent or not voting: Ellerd.
Total 1

House Bill No. 412 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Spilker.
Total 1

Absent or not voting: Ellerd, Shelden.
Total 2

House Bill No. 458 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: None.

Total 0

Excused: Spilker.
Total 1

Absent or not voting: Bardanouve, Ellerd, Kanduch, Kessler.
Total 4

House Bill No. 578 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: Magone.
Total 1

Excused: Spilker.
Total 1

Absent or not voting: Bennett, Ellerd, Hirsch.
Total 3

House Bill No. 663 was passed by the following vote:

Ayes: Azzara, Baeth, Bertelsen, Brand, Burnett, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Eudaily, Fagg, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Marks, Menahan, Metcalf, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, Rosenthal, Sales, Shelden, Sivertsen, South, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 65

Noes: Anderson, Bengtson, Bennett, Conroy, Curtiss, Ernst, Fabrega, Feda, Frates, Gould, Iverson, Jensen, Kanduch, Kropp, Manuel, Meyer, Moore, Nathe, Nordtvedt, Oberg, Pistoria, H. Robbins, K. Robbins, Roth, Schultz, Scully, Seifert, Smith, Stobie, Thoft, Vinger, Wyrick.
Total 32

Excused: Spilker.
Total 1

Absent or not voting: Bardanouve, Ellerd.
Total 2

House Bill No. 675 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand,

Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Lory, Lund, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 79

Noes: Bengtson, Bennett, Bertelsen, Brand, Day, Ellison, Iverson, Jensen, Kanduch, Kvaalen, Lien, K. Robbins, Sales, Smith, Stobie, Thoft, Vinger, Wood.
Total 18

Excused: Spilker.
Total 1

Absent or not voting: Ellerd, Manning.
Total 2

House Bill No. 719 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Spilker.
Total 1

Absent or not voting: Ellerd.
Total 1

House Bill No. 737 was passed by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, O'Connell, Pavlovich, Pistoria, Porter, Quilici, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley.
Total 77

Noes: Azzara, Bardanouve, Bennett, Brand, Frates, Harper, Hirsch, Holmes, Huennekens, Jensen, Kemmis, McBride, Metcalf, Nordtvedt, Oberg, Ramirez, Reichert, South, Thoft, Waldron, Mr. Speaker.

Total 21

Excused: Spilker.
Total 1

Absent or not voting: Ellerd.
Total 1

House Bill No. 813 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Spilker.
Total 1

Absent or not voting: Ellerd, Rosenthal.
Total 2

Ellerd excused at this time.

House Bill No. 274 failed to pass by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bertelsen, Cooney, Dassinger, Day, Donaldson, Dozier, Dussault, Fabrega, Fagg, Gesek, Gilligan, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Johnson, Keedy, Kemmis, Kessler, Keyser, Lory, McBride, Manning, Manuel, Menahan, Metcalf, Meyer, Nathe, Oberg, Porter, Ramirez, Reichert, H. Robbins, Rosenthal, Scully, Shelden, South, Spilker, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 49

Noes: Anderson, Bengtson, Bennett, Brand, Burnett, Conroy, Curtiss, Daily, Ellerd, Ellis, Ellison, Ernst, Eudaily, Feda, Frates, Gould, Hand, Hayne, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Kropp, Kvaalen, Lien, Lund, Magone, Marks, Moore, Nordtvedt, O'Connell, Pavlovich, Pistoria, Quilici, K. Robbins, Roth, Schultz, Seifert, Sivertsen, Smith, Staigmiller, Stobie, Teague, Thoft, Underdal, Vinger, Wood, Wyrick.
Total 49

Paired: Spilker, Vincent, Ayes; Ellerd, Sivertsen, Noes.

Excused: None.
Total 0

Absent or not voting: Sales, Tropila.
Total 2

Consent Calendar

MONTANA LEGISLATIVE COUNCIL
LIBRARY

House Bill No. 610 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, Rosenthal, Sales, Schultz, Scully, Seifert, Sivertsen, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: Burnett.
Total 1

Excused: Spilker.
Total 1

Absent or not voting: Bengtson, Donaldson, Ellerd, Hurwitz, Jensen, H. Robbins, K. Robbins, Roth, Shelden, Smith.
Total 10

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Tropila in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Ellerd present at this time.

That Committee of the Whole Amendment to House Joint Resolution No. 15, second reading copy, dated 2/19/79, 6:40 p.m., sponsored by Keyser, be amended as follows: (80-6)

1. Strike: amendment 1 in its entirety

And as amended, be postponed indefinitely. Motion failed. (43-57)

That HJR 15, as amended, do not pass. Motion failed. (50-50)

That HJR 15, as amended, do pass. Motion failed. (50-50)

Dussault moved that the House reconsider its action on HJR 15. Motion carried. (98-0)

That HJR 15, as amended, be indefinitely postponed. (51-49)

That HB 49 do pass. Motion failed. (31-66)

That HB 49 do not pass. (64-26)

That HB 174 do pass. (57-37) Constitutional Amendment.

That HB 196 do pass. (77-8)

That HB 320, introduced bill, be amended as follows: (74-0)

1. Title, line 4.
Following: "TO"
Strike: "REQUIRE"
Insert: "PERMIT"

2. Title, line 5.
Following: "OF"
Strike: "DELINQUENT"

3. Title, lines 6 through 8.
Following: "SUBDIVIDED"
Strike: material therein through "TRANSFERRED" on line 8

4. Page 1, line 11.
Following: "of"
Strike: "delinquent"

5. Page 1, line 13.
Following: "are"
Strike: "delinquent"
Insert: "due"

6. Page 1, line 14.
Following: "county"
Strike: "treasurer shall"
Insert: "assessor may"

7. Page 1, lines 15 through 20.
Following: "created"
Strike: material therein through "name" on line 20

And as amended, do pass. (81-0)

That HB 329 do pass. (79-4)

That HB 342 do pass. (85-2)

That HB 387 do pass. (61-29)

That HB 391, introduced bill, be amended as follows: (79-6)

1. Page 1, line 14.
Following: "~~limits~~"
Insert: "outside the city limits but"

2. Page 1, line 19.
Following: "members"
Insert: "who reside within the city limits"

3. Page 1, line 22.
Following: "members"
Insert: "who reside within the city limits"

4. Page 1, line 24.
Following: "members"
Insert: "who reside within the jurisdictional area of the city-county planning board"

And as amended, do pass. (83-2)

That HB 404 do pass. (83-2)

Tropila moved that the Committee of the Whole Report be deemed read. Motion carried.

That the Committee rise and report. (Tropila, Chairman). Report adopted. (74-5)

REPORTS OF STANDING COMMITTEES

Adverse Committee Reports

NATURAL RESOURCES (Shelden, Chairman): 2/21/79
HB 312, do not pass.
HB 792, do not pass.

STATE ADMINISTRATION (Brand, Chairman): 2/20/79
HB 656, do not pass.
HB 384, do not pass.
HB 826, do not pass.

Harper, Burnett, Frates, Reichert, Metcalf, Rosenthal, Oberg, Manning, Manuel, Pistoria objected that HB 832 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

Manning, Scully, Pistoria, Gilligan, Johnston, Pavlovich, Magone, Teague, Dassinger, Vincent objected that HB 865 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

House recessed at 1:10 p.m.

House reconvened at 1:21 p.m.

Spilker present at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Tropila in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 420, introduced bill, be amended as follows: (73-10)

1. Title, lines 12 and 13.
Following: "LICENSES,"
Strike: "ESTABLISH A WILD BISON LICENSE AND FEES THEREFOR,"

2. Page 2, lines 15 and 16.
Following: "bear"
Strike: "and wild bison which have not been reduced to captivity"

3. Page 4, line 5.
Following: "partridge;"
Strike: "."
Insert: ";"

4. Page 4, line 7.
Following: "~~captivity.~~"
Insert: "(12) wild buffalo—buffalo or bison which have not been reduced to captivity."

5. Page 8, line 16.
Following: "A tag,"
Strike: "$50"
Insert: "$100"

6. Page 8, line 21.
Following: "~~department~~."
Insert: "Unless purchased as part of a B-10 license, a Class B-7 license must be assigned for use in a specific administrative region or portion thereof."

7. Page 13, line 1.
Following: "nonresident"
Strike: "$50"
Insert: "$100"

8. Page 13, line 4.
Following: "$100~~.~~"
Strike: "~~;~~"
Insert: "."

9. Page 13, line 5.
Following: line 4
Strike: line 5 in its entirety

10. Page 17, line 4.
Following: line 3
Strike: "its passage and approval"
Insert: "May 1, 1980"

That HB 420, introduced bill, be further amended as follows: (44-43)

1. Title, line 19.
Following: "87-2-111,"
Strike: "87-2-202,"

2. Page 5, line 10 through line 4 on page 6.
Strike: section 4 in its entirety
Renumber: subsequent sections

And as amended, do pass. (73-16)

Kvaalen moved that the Committee of the Whole rise and report. Motion carried. (51-44)

Tropila moved that the Committee of the Whole Report be deemed read. Motion carried.

That the Committee rise and report and beg leave to sit again. (Tropila, Chairman). Report adopted. (85-4)

House recessed at 2:26 p.m.

House reconvened at 2:55 p.m.

MOTIONS

Kvaalen moved that the House adopt a new rule to be effective through the Forty-fifth Legislative Day of the Forty-sixth Legislature to read as follows:

"A motion to move for the previous question is in order on Second Reading."

Motion failed. (45-45)

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Tropila in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 450, introduced bill, be amended as follows: (73-8)

1. Page 37, line 4.
Following: "state of"
Insert: "up to"

2. Page 37, lines 4 and 5.
Following: "1 mill"
Strike: "or so much as is necessary"

And as amended, do pass. Motion failed. (19-79)

That HB 450, as amended, do not pass. (78-18)

That HB 634, second reading copy, be amended as follows: (94-2)

1. Page 10, line 14.
Following: "(a)"
Strike: ","
Insert: "."

2. Page 10, line 15.
Following: "(c)"
Strike: ", and (1)(d)"

3. Page 10, line 21.
Following: "these"
Strike: "five"
Insert: "four"

And as amended, do pass. (88-8)

Dussault moved that HB 476 be passed to the bottom of the board. Motion carried.

That HB 481 do pass. Motion failed. (43-44)

That HB 481 do not pass. (45-44)

That HB 487, introduced bill, be amended as follows: (75-4)

1. Title, lines 4 through 8.
Following: "TO"
Strike: remainder of line 4 through "REQUIRING" on line 8
Insert: "REQUIRE"

2. Page 1, line 17 through line 6 on page 4.
Strike: sections 1, 2, and 3 in their entirety
Renumber: subsequent sections

3. Page 6, lines 2 and 3.
Strike: "if an acceptable response does not follow,"

4. Page 6, lines 7 and 8.
Strike: "of the failure to comply"

5. Page 7, line 7.
Following: "facility."
Insert: "However, the appointment of the responsible person shall not terminate during any period of conditional release from the facility."

6. Page 8, lines 1 and 2.
Following: "the"
Strike: "mental health and residential services division of the"

7. Page 8, lines 3 through 5.
Following: "institutions"
Strike: remainder of line 3 through "division of" on line 5
Insert: "and"

8. Page 8, line 6.
Following: "services."
Insert: "The two departments shall develop written policies to implement this requirement."

9. Page 13, line 3.
Following: "community."
Insert: "However, nothing in this subsection shall be interpreted to impair the right of any resident in regard to involuntary commitment for mental illness, use of psychotropic medication, use of hazardous, aversive, or experimental procedures, or the refusal of treatment by a resident."

10. Page 16, line 1.
Following: "program."
Insert: "Nothing in this section shall be interpreted to relieve any physician or other professional or medical staff person from any obligation to adequately monitor the medication of any resident, with due consideration to the nature of the medication, the purpose for which it is given, and the condition of the resident."

11. Page 20, line 2.
Strike: "general"
Insert: "the"

12. Page 22, lines 14 and 15.
Strike: ", including but not limited"

13. Page 22, line 19.
Following: "copy."
Insert: "In addition, the parents, guardian, responsible person, and where able to comprehend, the resident shall receive such other information concerning the care and habilitation of the resident as may be available to assist them in understanding the situation of the resident and the rights of the resident in the institution."

14. Page 24, line 20.
Following: "allowed."
Insert: "No information may be released pursuant to (1)(f), (1)(g), and (1)(h) unless it is released to further some legitimate need of the resident or to accomplish a legitimate purpose of the institution which is not inconsistent with the needs and rights of the resident. No information shall be released pursuant to these subsections except in accordance with written policies consistent with the

requirements of this part adopted by the institution. Persons receiving notice of a proposed release of information shall also receive a copy of the written policy of the institution governing release of information."

And as amended, do pass. (78-5)

That HB 490 do pass. (71-8)

That HB 494 do pass. (72-13)

That HB 554 do pass. Motion failed. (44-52)

That HB 554 do not pass. (51-44)

That HB 579, introduced bill, be amended as follows: (76-5)

1. Title, line 4.
Following: "THAT"
Strike: "AN"
Insert: "A PUBLIC"

2. Page 1, line 17.
Following: "~~days~~"
Insert: "within 3 days, except for employees of the state of Montana and its political subdivisions who would be paid"

3. Page 1, line 24.
Following: "~~days.~~"
Insert: "However, where an employer's payroll checks originate at an office outside the state, the time provided herein for payment of wages shall be extended for 3 additional days."

And as amended, do pass. (82-7)

That HB 591 do pass. (90-0)

That HB 600, introduced bill, be amended as follows: (77-2)

1. Title, line 4.
Strike: "DEFINE VOLUNTEER AMBULANCE DRIVERS AND TO"

2. Title, line 5.
Strike: "SUCH"
Insert: "VOLUNTEER AMBULANCE"
Following: "DRIVERS"
Insert: "AND ATTENDANTS"

3. Page 1, line 22.
Strike: "A"
Insert: "Subsection (1) includes a"

4. Page 1, line 23.
Following: "ambulance"
Insert: "to and from the scene of an emergency or renders emergency medical treatment"
Following: "basis"
Strike: "is not liable under subsection (1)"

And as amended, do pass. (71-13)

That HB 616 do pass. (82-1)

That HB 638 do pass. (51-41)

That HB 644 do pass. (87-2)

Tropila moved that the Committee of the Whole Report be deemed read. Motion carried.

That the Committee rise and report and beg leave to sit again. (Tropila, Chairman). Report adopted. (78-7)

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/21/79

Correctly printed - HB 2, HB 245, HB 386, HB 558, HB 565, HB 571, HB 575, HB 694, HB 695, HB 785, HB 875.

Correctly engrossed - HB 320, HB 391, HB 420.

Considered correctly engrossed - HB 174, HB 329, HB 342, HB 387, HB 404, HB 494, HB 591, HB 616, HB 644.

Examined by the Sponsor and found to be correct - HB 40, HB 69, HB 75.

Correctly enrolled - HB 40, HB 69, HB 75.

Will be signed by the Speaker on adjournment, 2/21/79 - HB 40, HB 69, HB 75.

Do Pass

AGRICULTURE, LIVESTOCK AND IRRIGATION (Day, Chairman): 2/19/79

HB 800, do pass. Report adopted.

STATEMENT OF INTENT RE: House Bill No. 800

A Statement of Intent is required for this bill in that it delegates authority to adopt rules in section 4.

The purpose of the "Montana Livestock Marketing Act" as stated in the bill is to simplify, clarify, and modernize the law governing livestock marketing businesses and livestock marketing transactions; to promote open, free, and competitive factors in the market place in relation to all market conditions involving the sale and purchase of livestock; and to encourage, stimulate, and stabilize the livestock economy of the state.

The Department of Livestock is given, under section 4, authority to enforce and to adopt rules necessary to carry out the act. It is the legislative intent in delegating this rule-making authority that the discretion granted the Department of Livestock is for the purpose of supervising and regulating livestock markets, livestock brokers, and livestock dealers in the state; of regulating the properties, facilities, operations, services, and practices of all livestock markets, livestock brokers, and livestock dealers; and of supervising and regulating livestock markets in all matters affecting the relationship between the livestock market and owners of livestock and between the livestock markets and purchasers of livestock.

A major concern of the act is to establish stiff penalties for unfair, deceptive, and fraudulent market practices. It is intended that by providing stricter penalties and that by giving the Department of Livestock authority to assess civil penalties for some violations, livestock marketing in Montana will be strengthened.

It is the intent of this bill that in the adoption of rules under section 4 and in the general enforcement of this act that the Livestock Department's first function is to protect livestock producers consigning livestock to markets or selling livestock to or through dealers and brokers. Secondly, it is the intent of the legislature that so long as the purpose of protecting livestock producers is met, the enforcement and rules under this act not

unduly interfere with the operations of the businesses of livestock markets, livestock dealers, and livestock brokers. It is the legislature's further intent that the definitions of livestock broker, dealer, and market contained in section 3 are not applicable to the kind of marketing of livestock presently undertaken by various agricultural organizations who group livestock of member producers in order to gain better prices.

/s/Day

Adverse Committee Reports

On motion by H. Robbins, the Adverse Committee Report on HB 249 was adopted by the following vote: (67-4)

Ayes: Baeth, Bengtson, Bennett, Bertelsen, Brand, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, Porter, Ramirez, H. Robbins, K. Robbins, Rosenthal, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Thoft, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Yardley, Mr. Speaker.
Total 67

Noes: Gould, Pistoria, Teague, Tropila.
Total 4

Excused: None.
Total 0

Absent or not voting: Anderson, Azzara, Bardanouve, Burnett, Conroy, Daily, Ellison, Gilligan, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kropp, Marks, Moore, O'Connell, Pavlovich, Quilici, Reichert, Roth, Sales, Smith, Spilker, Staigmiller, Stobie, Waldron, Wyrick.
Total 29

On motion by Baeth, the Adverse Committee Report on HB 364 was adopted by the following vote: (61-20)

Ayes: Baeth, Bengtson, Bertelsen, Brand, Cooney, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Menahan, Metcalf, Meyer, Nathe, Oberg, Porter, Ramirez, H. Robbins, Rosenthal, Schultz, Seifert, Shelden, Sivertsen, Spilker, Stobie, Thoft, Vinger, Williams, Wood, Yardley, Mr. Speaker.
Total 61

Noes: Anderson, Bennett, Curtiss, Fabrega, Frates, Harper, Keedy, Kropp, Manuel, Nordtvedt, Pistoria, K. Robbins, Roth, South, Teague, Tropila, Uhde, Underdal, Vincent, Wyrick.
Total 20

Excused: None.
Total 0

Absent or not voting: Azzara, Bardanouve, Burnett, Conroy, Daily, Huennekens, Iverson, Johnson, Marks, Moore, O'Connell, Pavlovich, Quilici, Reichert, Sales, Scully, Smith, Staigmiller, Waldron.
Total 19

On motion by Shelden, the Adverse Committee Report on HB 563 was adopted by the following vote: (60-21)

Ayes: Anderson, Baeth, Bengtson, Bertelsen, Curtiss, Dassinger, Day, Donaldson, Ellerd, Ellis, Ellison, Ernst, Fabrega, Feda, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Hurwitz, Jensen, Kanduch, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Nathe, Oberg, Pistoria, Porter, Ramirez, H. Robbins, Rosenthal, Schultz, Scully, Seifert, Sivertsen, Spilker, Staigmiller, Stobie, Thoft, Tropila, Vinger, Williams, Wood, Wyrick, Mr. Speaker.
Total 60

Noes: Bennett, Brand, Cooney, Dozier, Dussault, Eudaily, Fagg, Frates, Harper, Holmes, Johnston, Kemmis, McBride, Nordtvedt, Roth, Sales, Teague, Uhde, Vincent, Waldron, Yardley.
Total 21

Excused: None.
Total 0

Absent or not voting: Azzara, Bardanouve, Burnett, Conroy, Daily, Huennekens, Iverson, Johnson, Marks, Moore, O'Connell, Pavlovich, Quilici, Reichert, K. Robbins, Shelden, Smith, South, Underdal.
Total 19

On motion by Brand, the Adverse Committee Report on HB 627 was adopted by the following vote: (85-2)

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Nordtvedt, Oberg, Pavlovich, Pistoria, Porter, Ramirez, H. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 85

Noes: Nathe, South.
Total 2

Excused: None.
Total 0

Absent or not voting: Azzara, Bardanouve, Conroy, Daily, Hirsch, Kessler, Marks, Moore, O'Connell, Quilici, Reichert, K. Robbins, Sales.
Total 13

On motion by Brand, the Adverse Committee Report on HB 680 was adopted by the following vote: (72-14)

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Brand, Cooney, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, Pavlovich, Pistoria, Quilici, Ramirez, H. Robbins, K. Robbins, Roth,

Scully, Seifert, Shelden, Smith, South, Spilker, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Yardley.
Total 72

Noes: Burnett, Curtiss, Eudaily, Hand, Hayne, Hurwitz, Keyser, Kvaalen, Schultz, Sivertsen, Staigmiller, Stobie, Wood, Wyrick.
Total 14

Excused: None.
Total 0

Absent or not voting: Azzara, Bardanouve, Conroy, Daily, Dassinger, Ellerd, Marks, Moore, O'Connell, Porter, Reichert, Rosenthal, Sales, Mr. Speaker.
Total 14

On motion by Brand, the Adverse Committee Report on HB 703 was adopted by the following vote: (61-31)

Ayes: Baeth, Bardanouve, Brand, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Eudaily, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Nathe, Oberg, Pistoria, Quilici, H. Robbins, Rosenthal, Roth, Seifert, Shelden, Smith, South, Staigmiller, Teague, Thoft, Tropila, Underdal, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 61

Noes: Anderson, Bengtson, Bennett, Bertelsen, Burnett, Curtiss, Ernst, Fagg, Feda, Hayne, Hemstad, Hirsch, Hurwitz, Keyser, Kvaalen, Lund, Meyer, Nordtvedt, Pavlovich, Porter, Ramirez, K. Robbins, Schultz, Scully, Sivertsen, Spilker, Stobie, Uhde, Vinger, Wood, Wyrick.
Total 31

Excused: None.
Total 0

Absent or not voting: Azzara, Ellerd, Fabrega, Marks, Moore, O'Connell, Reichert, Sales.
Total 8

On motion by H. Robbins, the Adverse Committee Report on HB 710 was adopted by the following vote: (72-20)

Ayes: Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Eudaily, Fabrega, Fagg, Frates, Gilligan, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lund, McBride, Manning, Manuel, Menahan, Metcalf, Meyer, Oberg, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Uhde, Underdal, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 72

Noes: Anderson, Brand, Cooney, Ellis, Ellison, Feda, Gesek, Gould, Hayne, Hurwitz, Kvaalen, Lory, Nathe, Nordtvedt, K. Robbins, Stobie, Tropila, Vinger, Wood, Wyrick.
Total 20

Excused: None.

Total 0

Absent or not voting: Azzara, Ernst, Magone, Marks, Moore, O'Connell, Reichert, Sales.
Total 8

On motion by Baeth, the Adverse Committee Report on HB 776 was adopted by the following vote: (75-16)

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Burnett, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Meyer, Nathe, Nordtvedt, Oberg, Pavlovich, Pistoria, Porter, Quilici, H. Robbins, Roth, Schultz, Scully, Seifert, Sivertsen, Smith, South, Staigmiller, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 75

Noes: Bennett, Conroy, Cooney, Curtiss, Dussault, Fabrega, Jensen, Metcalf, Ramirez, Rosenthal, Spilker, Stobie, Teague, Tropila, Uhde, Waldron.
Total 16

Excused: None.
Total 0

Absent or not voting: Azzara, Marks, Moore, O'Connell, Reichert, K. Robbins, Sales, Shelden, Thoft.
Total 9

On motion by Brand, the Adverse Committee Report on HB 789 was adopted by the following vote: (73-19)

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Eudaily, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Oberg, Pavlovich, Pistoria, Porter, Quilici, H. Robbins, K. Robbins, Rosenthal, Roth, Scully, Seifert, Shelden, Smith, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Williams, Wood, Yardley.
Total 73

Noes: Burnett, Curtiss, Ernst, Fabrega, Feda, Hemstad, Holmes, Johnston, Keedy, Kropp, Nathe, Ramirez, Schultz, Sivertsen, Staigmiller, Underdal, Vinger, Waldron, Wyrick.
Total 19

Excused: None.
Total 0

Absent or not voting: Azzara, Marks, Moore, Nordtvedt, O'Connell, Reichert, Sales, Mr. Speaker.
Total 8

On motion by Brand, the Adverse Committee Report on HB 804 was adopted by the following vote: (67-26)

Ayes: Baeth, Bardanouve, Bennett, Brand, Conroy, Curtiss, Day, Donaldson, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda,

Frates, Gesek, Gilligan, Gould, Hand, Harper, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Menahan, Meyer, Nathe, Nordtvedt, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Thoft, Underdal, Williams, Wood, Wyrick, Mr. Speaker.
Total 67

Noes: Anderson, Bengtson, Bertelsen, Burnett, Cooney, Daily, Dozier, Eudaily, Harrington, Hayne, Hemstad, Holmes, Keedy, McBride, Metcalf, Oberg, Pavlovich, Rosenthal, Stobie, Teague, Tropila, Uhde, Vincent, Vinger, Waldron, Yardley.
Total 26

Excused: None.
Total 0

Absent or not voting: Azzara, Dassinger, Marks, Moore, O'Connell, Reichert, Sales.
Total 7

On motion by Brand, the Adverse Committee Report on HB 854 was adopted by the following vote: (82-11)

Ayes: Baeth, Bardanouve, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Nathe, Oberg, Pavlovich, Pistoria, Porter, Quilici, H. Robbins, K. Robbins, Rosenthal, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 82

Noes: Anderson, Bengtson, Burnett, Fabrega, Gould, Hemstad, Kvaalen, Nordtvedt, Ramirez, Roth, Teague.
Total 11

Excused: None.
Total 0

Absent or not voting: Azzara, Ellerd, Marks, Moore, O'Connell, Reichert, Sales.
Total 7

On motion by Brand, the Adverse Committee Report on HJR 47 was adopted by the following vote: (66-27)

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Dassinger, Day, Donaldson, Dussault, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Nordtvedt, Oberg, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 66

Noes: Burnett, Cooney, Curtiss, Daily, Dozier, Ellerd, Ellis, Fabrega, Gould, Harper, Hayne, Hurwitz, Johnson, Keyser, Kvaalen, Lien, Nathe, Quilici, Roth, Scully, Stobie, Teague, Thoft, Uhde, Underdal, Vinger, Yardley.
Total 27

Excused: None.
Total 0

Absent or not voting: Azzara, Ellison, Marks, Moore, O'Connell, Sales, Tropila.
Total 7

MOTIONS

Dussault moved that the rules be temporarily suspended to allow all bills reported from Engrossing this morning to be placed on Third Reading this day. Motion carried.

Dussault moved that all bills having Adverse Committee Reports and having been objected to be placed on Second Reading, after all the bills with do pass recommendations are considered, with the exception of those bills presented as a package. Motion carried.

Sivertsen moved that HB 615 be taken from Engrossing and placed on Second Reading. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 532 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 87

Noes: Dozier, Feda, Lund, Manuel, Marks, Nathe, Shelden, Smith, Vinger.
Total 9

Excused: None.
Total 0

Absent or not voting: Hurwitz, Keedy, Reichert, Wyrick.
Total 4

House Bill No. 553 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen,

Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Keedy, Sales.
Total 2

House Bill No. 567 (Constitutional Amendment) was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Ellison, Eudaily, Fabrega, Frates, Gesek, Gilligan, Gould, Harrington, Hirsch, Holmes, Huennekens, Kanduch, Kessler, Keyser, Kropp, Lory, Magone, Manning, Manuel, Menahan, Metcalf, Moore, Oberg, Pavlovich, Pistoria, Quilici, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Scully, Shelden, Sivertsen, South, Tropila, Uhde, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 57

Noes: Bennett, Burnett, Conroy, Donaldson, Ellerd, Ernst, Fagg, Feda, Hand, Harper, Hayne, Hemstad, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kemmis, Kvaalen, Lien, Lund, McBride, Marks, Meyer, Nathe, Nordtvedt, O'Connell, Porter, Ramirez, Reichert, Schultz, Seifert, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Underdal, Vincent, Vinger, Waldron.
Total 42

Excused: None.
Total 0

Absent or not voting: Keedy.
Total 1

House Bill No. 570 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 85

Noes: Burnett, Ernst, Hayne, Kvaalen, Manuel, Marks, Nordtvedt, Roth, Seifert, Smith, Stobie, Thoft, Yardley.

Total 13

Excused: None.
Total 0

Absent or not voting: Ellison, Keedy.
Total 2

House Bill No. 577 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: Thoft, Underdal.
Total 2

Excused: None.
Total 0

Absent or not voting: Ellison, Keedy.
Total 2

House Bill No. 581 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Hurwitz, Keedy.
Total 2

House Bill No. 585 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega,

Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Jensen, Johnson, Kanduch, Kemmis, Kessler, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 87

Noes: Azzara, Ellis, Hurwitz, Iverson, Keyser, Kvaalen, Nathe, Porter, Roth, Stobie, Yardley.
Total 11

Excused: None.
Total 0

Absent or not voting: Johnston, Keedy.
Total 2

House Bill No. 590 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Johnson, Johnston, Kanduch, Kemmis, Kessler, Kvaalen, Lien, Lory, Lund, McBride, Manning, Manuel, Metcalf, Meyer, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 75

Noes: Azzara, Bengtson, Curtiss, Ellerd, Ernst, Harper, Iverson, Keyser, Kropp, Magone, Marks, Menahan, Moore, Nathe, K. Robbins, Roth, Sales, Schultz, Smith, Stobie, Thoft, Underdal, Wyrick.
Total 23

Excused: None.
Total 0

Absent or not voting: Jensen, Keedy.
Total 2

House Bill No. 593 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, Rosenthal, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 81

Noes: Brand, Frates, Harper, Hemstad, Johnson, Kemmis, McBride, Magone, Marks, Nordtvedt, Reichert, K. Robbins, Roth, Sales, Staigmiller, Stobie, Uhde.
Total 17

Excused: None.
Total 0

Absent or not voting: Azzara, Keedy.
Total 2

House Bill No. 619 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Bennett, Keedy, Teague.
Total 3

House Bill No. 705 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Yardley, Mr. Speaker.
Total 82

Noes: Burnett, Conroy, Donaldson, Hand, Hayne, Hurwitz, Kvaalen, Moore, Pavlovich, Roth, Seifert, Smith, Staigmiller, Stobie, Wood, Wyrick.
Total 16

Excused: None.
Total 0

Absent or not voting: Bengtson, Keedy.
Total 2

House Bill No. 707 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 94

Noes: Dozier, Frates, Kessler, Yardley.
Total 4

Excused: None.
Total 0

Absent or not voting: Keedy, Scully.
Total 2

House Bill No. 755 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 98

Noes: Nordtvedt.
Total 1

Excused: None.
Total 0

Absent or not voting: Keedy.
Total 1

House Bill No. 756 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde,

Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 98

Noes: Yardley.
Total 1

Excused: None.
Total 0

Absent or not voting: Keedy.
Total 1

House Bill No. 771 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Conroy, Feda, Porter, Smith, Vinger.
Total 5

Excused: None.
Total 0

Absent or not voting: Keedy, Rosenthal, Seifert.
Total 3

SPECIAL ORDERS OF THE DAY

Consent Calendar

Questions were asked on HJR 38.

House at ease at 5:12 p.m.

House reconvened at 5:22 p.m.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Tropila in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Gesek, Waldron excused at this time.

That HB 645 do pass. (67-0)

That HB 649, introduced bill, be amended follows: (60-5)

1. Page 1, line 21.
Following: line 20
Strike: "not exceeding the"
Following: "equivalent"
Strike: "of"
Insert: "to"
Following: "rate"
Strike: "of"
Insert: "between 5% and"

2. Page 1, line 24.
Following: "interest"
Strike: "not to exceed a"
Following: "rate"
Strike: "of"
Insert: "between 5% and"

And as amended, do pass. (60-17)

Gesek present at this time.

That HB 652 do pass. (73-0)

That HB 655, introduced bill, be amended as follows: (74-0)

1. Page l, line 9.
Following: "hospital"
Insert: ", nursing home, room and board home, or private home"

2. Page 1, lines 10 and 11.
Strike: "the department may license, and supervise personal care facilities"
Insert: "a personal care facility program is established"

3. Page 1, line 24.
Strike: "Skilled nursing"
Insert: "Nursing home"

4. Page 2, line 5.
Following: "department"
Insert: "of health and environmental sciences"

5. Page 2, line 5.
Strike: "No fee may be charged for the license."

6. Page 2, lines 6 through 18.
Strike: section 4 in its entirety
Renumber: subsequent sections

7. Page 2, line 20.
Strike: "medicaid"
Insert: "supplemental security income (SSI)"

8. Page 2, line 24.
Following: "include"
Strike: "skilled nursing"
Insert: "nursing home"
Following: "care"
Insert: ", nor is it appropriate for those persons who are able to live in their own home or in a licensed room and board home"

And as amended, do pass. (49-26)

That HB 661, introduced bill, be amended as follows: (73-5)

1. Page 1, line 25.
Following: "section"
Strike: "must"
Insert: "may"

And as amended, do pass. (82-3)

That HB 682 do pass. (79-6)

That HB 683 do pass. (84-1)

That HB 686 do pass. (83-0)

That HB 687 do pass. (87-0)

That HB 688 do pass. (79-4)

That HB 722 do pass. (67-19)

That HB 696 do pass. (68-21)

That HB 698 do pass. (75-14)

That HB 701, second reading copy, be amended as follows: (72-14)

1. Page 1, line 17.
Strike: "$10"
Insert: "$5"

2. Page 1, line 20.
Strike: "$20"
Insert: "$10"

And as amended, do pass. (56-34)

That HB 713 do pass. (84-3)

That HB 714 do pass. (84-0)

That HB 717, introduced bill, be amended as follows: (89-0)

1. Page 2, line 1.
Following: "abandon"
Insert: "or otherwise dispose of"

2. Page 2, line 15.
Following: "3."
Strike: "Abandonment"
Insert: "Disposition"
Following: "(1)"
Insert: "(a)"

3. Page 2, line 16.
Strike: "December 31, 1980"
Insert: "July 1, 1981"

4. Page 2, line 18.
Strike: "(2)"
Insert: "(b)"

5. Page 2, line 22.
Strike: "(3)"
Insert: "(c)"

6. Page 3.

Following: line 6
Insert: "(2) (a) Prior to January 15, 1981, the department may dispose of the Daly ditch water project by transfer, sale, or other legal conveyance to a person legally qualified to enter into contracts and operate and maintain the project. Preference shall be given to an organization of project water users formed to operate the project.

(b) Upon conveyance of the project, the department shall transfer all water rights, real property, personal property, equipment, fixtures, headgates, structures, canals, dikes, lateral ditches, dams, and reservoirs related to the project.

(c) If the department has entered into an agreement to transfer the project prior to January 15, 1981, but the actual transfer has not been effectuated prior to July 1, 1981, the department need not abandon the project until December 31, 1981.

(d) The department shall not publish notification of intent to abandon until it has attempted to dispose of the project by transfer, sale, or other legal conveyance.

(3) The department shall operate the project until July 1, 1981, or until the project is disposed of if earlier than July 1, 1981."

7. Page 3, line 18.
Following: "abandonment"
Insert: "or disposition"

And as amended, do pass. (92-0)

That HB 732, introduced bill, be amended as follows: (84-1)

1. Page 2, lines 10 through 13.
Following: "year."
Strike: remainder of line 10 through "year." on line 13

That HB 732, introduced bill, be further amended as follows: (84-1)

1. Title, line 9.
Following: "MCA"
Insert: "; AND PROVIDING AN EFFECTIVE DATE"

2. Page 4, line 11.
Following: "subdivisions"
Insert: "for which a final plat has been filed as of the effective date of this act"

3. Page 4, line 12.
Following: "~~adopted~~"
Strike: "as of July 1,"

4. Page 4, line 13.
Strike: "1979,"

5. Page 6.
Following: line 10
Insert: "Section 9. Effective date. This act is effective upon passage and approval."

And as amended, do pass. (59-26)

That HB 741 do pass. (83-3)

That HB 742 do pass. (85-0)

That HB 746 do pass. (62-28)

That HB 747 do pass. (92-0)

Waldron present at this time.

That HB 749, introduced bill, be amended as follows: (83-0)

1. Page 1, line 19.
Following: "simulated"
Insert: ", for use as designated in (1)(a), (1)(b), or (1)(d)"

That HB 749, introduced bill, be further amended as follows: (82-0)

1. Page 2, line 9.
Following: "than"
Strike: "13"
Insert: "16"

And as amended, do pass. (87-0)

That the Committee rise and report and beg leave to sit again. (Tropila, Chairman). Report adopted. (86-0)

House recessed at 7:37 p.m.

House reconvened at 7:47 p.m.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Tropila in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 751, introduced bill, be amended as follows: (78-1)

1. Page 3, line 17.
Strike: "except a city judge"

And as amended, do pass. (85-4)

Brand moved that HB 757 be placed at the bottom of the board. Motion carried.

That HB 759, introduced bill, be amended as follows: (84-0)

1. Page 6.
Following: line 9
Insert: "SECTION 6. THERE IS A NEW MCA SECTION THAT READS:

Money withheld — held in trust for state warrants to collect — levy upon and sale of property. (1) Every purchaser who withholds any money under 76-13-409 shall hold it in trust for the state. If these moneys are not paid to the department within 60 days after they have been withheld, the department may issue a warrant under its official seal directed to the sheriff of any county of the state commanding him to levy upon and sell the real and personal property

of the purchaser owning that property found in his county, for the payment of the amount with added penalties, interest, and the cost of executing the warrant. The warrant shall be returned to the department with the money collected not more than 60 days from the date of the warrant.

(2) The sheriff shall, within 5 days after the receipt of the warrant, file with the clerk of the district court of his county a copy of the warrant. The clerk shall enter in the judgment docket, in the column for judgment debtors, the name of the purchaser mentioned in the warrant and in appropriate columns the amount of the withheld sums or portion thereof and penalties for which the warrant is issued and the date when such copy is filed. The amount of the warrant so docketed shall then become a lien upon the title to and interest in real property or chattels real of the person against whom it is levied in the same manner as judgment docketed in the office of the clerk.

(3) The sheriff shall then proceed in the same manner prescribed by law in respect to executions issued against property upon judgments of a court of record. The sheriff is entitled to the same fees for his services in executing the warrant and may collect them in the same manner.

(4) If a warrant is returned not satisfied in full, the department has the same remedies to enforce the claim for the withheld sums against the purchaser as if the people of the state had recovered judgment against the purchaser for the amount of the withheld sums."

And as amended, do pass. (61-28)

That HB 762 do pass. (85-1)

Williams moved that HB 766 pass consideration for the day. Motion carried.

That HB 767, introduced bill, be amended as follows: (81-4)

1. Title, line 5.
Following: "ELK"
Insert: "OR DEER"

2. Page 1, line 10.
Following: "elk"
Insert: "or deer"

3. Page 1, line 11.
Following: "elk"
Insert: "or deer"

4. Page 1, line 13.
Following: "elk"
Insert: "or deer"

5. Page 1, line 15.
Following: "elk"
Insert: "or deer"

6. Page 1, line 19.
Following: "and"
Insert: "part of which"
Following: "for"

Insert: ": (a) the general season for the license year in which the special season is declared; and (b)"

And as amended, do pass. (83-7)

That HB 769 do pass. (74-9)

That HB 773 do pass. (83-7)

That HB 774, introduced bill, be amended as follows: (85-0)

1. Page 3, line 19.
Following: "with"
Strike: "marital status"
Insert: "marriage"

And as amended, do pass. (75-14)

That HB 775, introduced bill, be amended as follows: (84-2)

1. Title, lines 5 through 7.
Following: "FEES TO"
Strike: remainder of lines 5 through 7
Insert: "THE PREVAILING PARTY IN A CONTESTED CASE HEARING UNDER THE HUMAN RIGHTS ACT; AMENDING SECTION 49-2-505, MCA"

2. Page 1.
Strike: all of the bill following the enacting clause
Insert: "SECTION 1. SECTION 49-2-505, MCA, IS AMENDED TO READ:

'49-2-505. Contested case hearing. (1) If the informal efforts to eliminate the alleged discrimination are unsuccessful, the staff shall inform the commission of the failure and the commission shall cause written notice to be served, together with a copy of the complaint, requiring the person, employer, business, corporation, or agency charged in the complaint to answer the allegations of the complaint at a hearing before the commission.

(2) The hearing shall be held by the commission in the county where the unlawful conduct is alleged to have occurred unless the person, employer, business, corporation, organization, agency, or the commission requests a change of venue for good cause shown. The case in support of the complaint may be presented before the commission by the staff, the complainant, or an attorney representing the complainant. The hearing and any subsequent proceedings under this chapter, except as permitted under 49-2-508, shall be held in accordance with the Montana Administrative Procedure Act.

(3) The commission may make provision for defraying the expenses of any indigent party in a contested hearing held pursuant to this chapter.

(4) The prevailing party in a hearing under this section may bring an action in district court for attorneys' fees. The court in its discretion may allow the prevailing party reasonable attorneys' fees. An action under this section must comply with the Montana Rules of Civil Procedure.'"

And as amended, do pass. (93-0)

That HB 778 do pass. (80-5)

That HB 779 do pass. (79-12)

That HB 780 do pass. (88-0)

That HB 782 do pass. (84-4)

That HB 783 do pass. (89-0)

That HB 787 do pass. (73-18)

That HB 791 do pass. (75-11)

That HB 793 do pass. (66-19)

That HB 797 do pass. (83-3)

That HB 801 do pass. (87-2)

Lien moved that HB 802 pass consideration for the day. Motion carried.

That HB 803, introduced bill, be amended as follows: (77-3)

1. Title, lines 6 and 7.
Following: "CASES"
Strike: "; AND PROVIDING PENALTIES FOR VIOLATION"

2. Page 1, line 22.
Following: "information"
Insert: "obtained by a health care provider"

3. Page 7, line 10 through line 15 on page 8.
Strike: sections 7, 8, 9, and 10 in their entirety
Insert: "SECTION 7. THERE IS A NEW MCA SECTION THAT READS:

No disciplinary or punitive action. No disciplinary or punitive action may be taken against an employee or agent who brings evidence of violation of [this act] to the attention of a person or entity.

SECTION 8. THERE IS A NEW MCA SECTION THAT READS:

Reporting obligations not limited. [This act] may not be construed to limit the reporting obligations provided by Title 37, chapter 3, part 4, or any other statute which requires information to be reported to a government agency."

And as amended, do pass. (90-0)

That HB 805, introduced bill, be amended as follows: (75-6)

1. Title, line 5.
Following: "REPEAL"
Strike: "SECTIONS"
Insert: "SECTION"

2. Title, line 6.
Following: "39-4-108"
Strike: "AND 39-4-109"
Following: "WHICH"
Strike: "WERE"
Insert: "WAS"

3. Title, line 9.
Following: "45"
Strike: "U.C.S."

Insert: "U.S.C."

4. Page 1, line 12.
Following: "Repealer."
Strike: "Sections"
Insert: "Section"
Following: "39-4-108"
Strike: "and 39-4-109"

5. Page 1, line 13.
Following: "MCA"
Strike: "are"
Insert: "is"

And as amended, do pass. (75-6)

That HB 808 do pass. (77-9)

That HB 811 do pass. (90-0)

Tropila moved that the Committee of the Whole Report be deemed read. Motion carried.

That the Committee rise and report and beg leave to sit again. (Tropila, Chairman). Report adopted. (84-1)

House at ease at 9:37 p.m.

House reconvened at 9:47 p.m.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/21/79
Correctly engrossed - HB 435, HB 521, HB 574, HB 708, HB 736, HB 810.
Considered correctly engrossed - HB 145, HB 196, HB 328, HB 373, HB 401, HB 467, HB 555, HB 582, HB 589, HB 596, HB 733, HB 735, HB 786.
Correctly printed - HB 81, HB 298, HB 437, HB 460, HB 606, HB 635, HB 880.
Correctly enrolled - HJR 12.

Will be signed by the Speaker on adjournment, 2/21/79 - HJR 12.

Do Pass

LABOR AND EMPLOYMENT RELATIONS (Williams, Chairman): 2/20/79

HB 54, introduced bill, be amended as follows:

1. Title, line 5.
Strike: "SECTION"
Insert: "SECTIONS"

2. Title, line 6.
Following: "39-3-603"
Insert: "AND 39-3-604"

3. Title, line 7.
Following: "DEPOSIT"
Strike: "IN THE DEFINITION"
Insert: "AND A SECURITY INTEREST ON A LIQUOR LICENSE IN THE DEFINITION; PROVIDING LIMITED RULEMAKING

AUTHORITY; AND EXEMPTING THE BINDING REQUIREMENTS FOR PERSONS WITH A NET WORTH EXCEEDING $50,000"

4. Page 1, line 21.
Following: "the"
Strike: "lessee and the"

5. Page 1, line 22.
Following: "department"
Insert: "of labor and industry, or a security interest filed by the department of labor and industry on a liquor license issued by the department of revenue (including an all-beverages license, a retail beer license, or a retail beer and wine license) in the required amount and subject to the conditions of a bond found in this part"

6. Page 2.
Following: line 9
Insert: "SECTION 2. SECTION 39-3-604, MCA, IS AMENDED TO READ:

'39-3-604. Bond to be filed by lessee — bond requirements exceptions. (1) Every person, except as provided in subsection (4), who leases from another person premises for the purpose of conducting therein a business as a restaurant, bar, or tavern is hereby required to file a bond equal to at least double the amount of the projected semimonthly payroll with the commissioner of labor and industry. Said bond shall at all times be kept in full force and effect and any cancellation or revocation thereof or withdrawal of the sureties therefrom shall automatically revoke and suspend the certificate issued to the lessee of this part until such time as a new bond of like tenure and effect shall have been filed and approved as herein provided.

(2) The bond and affidavit required by subsection (1) of this section shall be filed with the commissioner of labor and industry. The state of Montana shall be named as the obligee therein, with good and sufficient sureties to be approved by the attorney general.

(3) Such bond shall be conditioned to assure that in any lease transaction of the type referred to in 39-3-608 the persons who perform labor or other personal services for the lessee are guaranteed their wages in the event the lessee ceases operation of the business for any reason and is unable to pay the wages due and owing the employees and to assure payment due the division of employment security as a result of payroll taxes.

(4) The provisions of this section do not apply to any resident person who leases from another person premises for the purpose of conducting a business as a restaurant, bar, or tavern and who presents to the commissioner a financial statement certified by a licensed certified public accountant attesting to a net worth of the resident person exceeding $50,000. For the purposes of this part, a "resident person" means any person who is a bona fide resident of this state, or any partnership or association or corporation, the majority of whose members are bona fide residents of this state.'

SECTION 3. THERE IS A NEW MCA SECTION THAT READS:

Rulemaking authority. The department of labor and industry shall make and revise rules adopting procedures for the use of certificates

of deposit and security interests on a liquor license to supplement the bond requirements of this part."

And as amended, do pass. Report adopted.

STATEMENT OF INTENT RE: House Bill No. 54

A Statement of Intent is required for this bill because section 3 of this bill gives the department of labor and industry rulemaking authority. The department will need rulemaking authority if this bill passes because the department will need to establish a uniform and publicly known method of filing a certificate of deposit or a security interest on a liquor license in place of a bond to ensure that employees of a restaurant, bar, or tavern will be paid their wages. The rules will be limited to spelling out how a certificate of deposit can be accepted, the disposition of interest earned by the certificate, and how a security interest is to be filed on a liquor license and how the security interest will be removed.

/s/Williams

Adverse Committee Reports

STATE ADMINISTRATION (Brand, Chairman): 2/20/79
HB 834, do not pass.

On motion by Shelden, the Adverse Committee Report on HB 444 was adopted by the following vote: (62-17)

Ayes: Anderson, Baeth, Bertelsen, Cooney, Dassinger, Day, Donaldson, Dozier, Dussault, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Schultz, Shelden, Sivertsen, South, Thoft, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 62

Noes: Conroy, Curtiss, Ellison, Gould, Hayne, Johnston, Kropp, Marks, Roth, Sales, Spilker, Stobie, Tropila, Underdal, Vinger, Wood, Wyrick.
Total 17

Excused: None.
Total 0

Absent or not voting: Azzara, Bardanouve, Bengtson, Bennett, Brand, Burnett, Daily, Ellerd, Ellis, Ernst, Fabrega, Hurwitz, Kvaalen, Metcalf, K. Robbins, Scully, Seifert, Smith, Staigmiller, Teague, Uhde.
Total 21

On motion by Metcalf, the Adverse Committee Report on HB 623 was adopted by the following vote: (69-20)

Ayes: Baeth, Brand, Conroy, Curtiss, Daily, Day, Donaldson, Dozier, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Huennekens, Iverson, Jensen, Johnson, Kanduch, Kemmis, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Uhde, Underdal, Vinger, Williams, Yardley, Mr. Speaker.
Total 69

Noes: Anderson, Azzara, Bardanouve, Bengtson, Bertelsen, Cooney, Dussault, Hirsch, Holmes, Johnston, Kessler, Kropp, Oberg, Pavlovich, Schultz, Tropila, Vincent, Waldron, Wood, Wyrick.
Total 20

Excused: None.
Total 0

Absent or not voting: Bennett, Burnett, Dassinger, Ellerd, Fabrega, Hand, Hurwitz, Keedy, Metcalf, O'Connell, Scully.
Total 11

On motion by H. Robbins, the Adverse Committee Report on HB 662 was adopted by the following vote: (71-23)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Gesek, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Marks, Metcalf, Meyer, Moore, Oberg, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Thoft, Tropila, Underdal, Vinger, Williams, Wood, Yardley, Mr. Speaker.
Total 71

Noes: Brand, Burnett, Conroy, Cooney, Frates, Gilligan, Gould, Holmes, Huennekens, Kessler, McBride, Manning, Manuel, Menahan, Nathe, Nordtvedt, O'Connell, Roth, Stobie, Uhde, Vincent, Waldron, Wyrick.
Total 23

Excused: None.
Total 0

Absent or not voting: Bennett, Fabrega, Johnson, Keedy, Scully, Teague.
Total 6

On motion by Day, the Adverse Committee Report on HB 772 was adopted by the following vote: (69-19)

Ayes: Anderson, Baeth, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Hayne, Hemstad, Iverson, Jensen, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Lory, Lund, Magone, Manning, Manuel, Marks, Meyer, Moore, Nathe, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Uhde, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.
Total 69

Noes: Bardanouve, Dozier, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnson, Kemmis, Kessler, Lien, McBride, Metcalf, Reichert, Rosenthal, Tropila, Vincent, Waldron, Yardley.
Total 19

Excused: None.
Total 0

Absent or not voting: Azzara, Bennett, Dussault, Fabrega, Hurwitz, Keedy, Menahan, Nordtvedt, Oberg, Scully, Shelden, Teague.
Total 12

On motion by Day, the Adverse Committee Report on HB 798 was adopted by the following vote: (70-21)

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bertelsen, Burnett, Conroy, Curtiss, Daily, Day, Donaldson, Ellerd, Ellis, Ernst, Eudaily, Fagg, Feda, Gilligan, Gould, Hand, Hayne, Hemstad, Hirsch, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Underdal, Vinger, Williams, Wood, Yardley, Mr. Speaker.
Total 70

Noes: Cooney, Dozier, Dussault, Frates, Gesek, Harper, Harrington, Holmes, Huennekens, Johnson, Kessler, McBride, Manning, Metcalf, Nordtvedt, Reichert, Rosenthal, Uhde, Vincent, Waldron, Wyrick.
Total 21

Excused: None.
Total 0

Absent or not voting: Azzara, Bennett, Brand, Dassinger, Ellison, Fabrega, Keedy, Scully, Teague.
Total 9

On motion by Day, the Adverse Committee Report on HB 799 was adopted by the following vote: (67-28)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bertelsen, Brand, Conroy, Curtiss, Daily, Dassinger, Day, Dussault, Ellerd, Ernst, Eudaily, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nordtvedt, O'Connell, Pavlovich, Pistoria, Quilici, H. Robbins, K. Robbins, Roth, Schultz, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Thoft, Tropila, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.
Total 67

Noes: Bengtson, Burnett, Cooney, Donaldson, Dozier, Ellis, Ellison, Fagg, Feda, Frates, Gould, Holmes, Huennekens, Lory, Metcalf, Nathe, Oberg, Porter, Ramirez, Reichert, Rosenthal, Sales, Shelden, South, Uhde, Underdal, Waldron, Yardley.
Total 28

Excused: None.
Total 0

Absent or not voting: Bennett, Fabrega, Keedy, Scully, Teague.
Total 5

On motion by Day, the Adverse Committee Report on HB 812 was adopted by the following vote: (70-22)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Conroy, Curtiss, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Gould, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pistoria, Porter, Ramirez, H. Robbins, K. Robbins, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen,

Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley.
Total 70

Noes: Cooney, Daily, Dussault, Frates, Gesek, Gilligan, Harper, Harrington, Holmes, Kemmis, Kessler, McBride, Menahan, Metcalf, Oberg, Pavlovich, Quilici, Reichert, Rosenthal, Uhde, Waldron, Mr. Speaker.
Total 22

Excused: None.
Total 0

Absent or not voting: Bennett, Burnett, Dassinger, Fabrega, Hand, Keedy, Scully, Teague.
Total 8

On motion by Quilici, the Adverse Committee Report on HB 822 was adopted by the following vote: (75-17)

Ayes: Anderson, Baeth, Bardanouve, Bertelsen, Brand, Conroy, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Marks, Menahan, Metcalf, Nathe, Nordtvedt, Oberg, O'Connell, Pistoria, Ramirez, H. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 75

Noes: Bengtson, Cooney, Daily, Feda, Gould, Hemstad, Keyser, Manuel, Meyer, Moore, Pavlovich, Porter, Quilici, Reichert, Spilker, Vinger, Wood.
Total 17

Excused: None.
Total 0

Absent or not voting: Azzara, Bennett, Burnett, Fabrega, Keedy, K. Robbins, Scully, Teague.
Total 8

On motion by Quilici, the Adverse Committee Report on HB 843 was adopted by the following vote: (75-17)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bertelsen, Brand, Conroy, Curtiss, Daily, Day, Donaldson, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Tropila, Underdal, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 75

Noes: Bengtson, Cooney, Dozier, Frates, Gesek, Huennekens, Johnson, Kemmis, McBride, Metcalf, Reichert, Shelden, South, Thoft, Uhde, Vincent, Waldron.
Total 17

Excused: None.

Total 0

Absent or not voting: Bennett, Burnett, Dassinger, Fabrega, Holmes, Keedy, Scully, Teague.
Total 8

On motion by Quilici, the Adverse Committee Report on HB 857 was adopted by the following vote: (78-9)

Ayes: Anderson, Baeth, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 78

Noes: Bengtson, Feda, Hemstad, Johnson, Metcalf, Meyer, Nordtvedt, Uhde, Yardley.
Total 9

Excused: None.
Total 0

Absent or not voting: Azzara, Bardanouve, Bennett, Burnett, Fabrega, Fagg, Holmes, Huennekens, Keedy, Reichert, Rosenthal, Scully, Teague.
Total 13

On motion by Quilici, the Adverse Committee Report on HB 862 was adopted by the following vote: (65-26)

Ayes: Anderson, Conroy, Curtiss, Dassinger, Day, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Hurwitz, Iverson, Johnston, Kanduch, Kemmis, Kessler, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Sales, Schultz, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Thoft, Underdal, Vinger, Waldron, Williams, Wood, Mr. Speaker.
Total 65

Noes: Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Cooney, Daily, Dozier, Dussault, Hemstad, Huennekens, Johnson, Keyser, Kropp, Manning, Quilici, Rosenthal, Roth, Seifert, Tropila, Uhde, Vincent, Wyrick, Yardley.
Total 26

Excused: None.
Total 0

Absent or not voting: Burnett, Fabrega, Fagg, Holmes, Jensen, Keedy, Scully, South, Teague.
Total 9

On motion by Quilici, the Adverse Committee Report on HB 872 was adopted by the following vote: (66-27)

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellerd, Ellis, Ellison,

Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Menahan, Metcalf, Meyer, Moore, Oberg, Pavlovich, Porter, Quilici, Ramirez, K. Robbins, Roth, Schultz, Seifert, Shelden, Spilker, Staigmiller, Stobie, Thoft, Uhde, Vinger, Waldron, Williams, Mr. Speaker.
Total 66

Noes: Azzara, Bennett, Conroy, Donaldson, Gilligan, Gould, Hand, Hemstad, Johnston, Manuel, Marks, Nathe, Nordtvedt, O'Connell, Pistoria, Reichert, Rosenthal, Sales, Sivertsen, Smith, South, Tropila, Underdal, Vincent, Wood, Wyrick, Yardley.
Total 27

Excused: None.
Total 0

Absent or not voting: Burnett, Fabrega, Keedy, Manning, H. Robbins, Scully, Teague.
Total 7

On motion by Day, the Adverse Committee Report on HB 878 was adopted by the following vote: (73-20)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Brand, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Eudaily, Feda, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Jensen, Johnson, Johnston, Kanduch, Kemmis, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Seifert, Shelden, South, Staigmiller, Stobie, Thoft, Tropila, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 73

Noes: Bertelsen, Conroy, Curtiss, Fagg, Hemstad, Iverson, Keedy, Kessler, Kropp, Manuel, Moore, O'Connell, Schultz, Sivertsen, Smith, Spilker, Uhde, Underdal, Vinger, Wyrick.
Total 20

Excused: None.
Total 0

Absent or not voting: Burnett, Ernst, Fabrega, Hand, Hurwitz, Scully, Teague.
Total 7

On motion by Staigmiller, the Adverse Committee Report on HJR 29 was adopted by the following vote: (68-26)

Ayes: Anderson, Baeth, Bennett, Bertelsen, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ernst, Eudaily, Feda, Frates, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Iverson, Jensen, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manuel, Marks, Meyer, Moore, Nordtvedt, O'Connell, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Underdal, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 68

Noes: Azzara, Bardanouve, Bengtson, Brand, Cooney, Dussault, Fagg, Gesek, Gilligan, Gould, Harrington, Huennekens, Johnson, Kanduch, McBride, Manning, Menahan, Metcalf, Nathe, Oberg, Pavlovich, Quilici, Uhde, Vincent, Vinger, Waldron.
Total 26

Excused: None.
Total 0

Absent or not voting: Burnett, Ellison, Fabrega, Hurwitz, Pistoria, Teague.
Total 6

On motion by Shelden, the Adverse Committee Report on HJR 30 was adopted by the following vote: (66-30)

Ayes: Baeth, Bengtson, Bertelsen, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Hand, Hayne, Hirsch, Iverson, Jensen, Johnston, Kanduch, Keedy, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Marks, Menahan, Meyer, Moore, Nathe, O'Connell, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.
Total 66

Noes: Anderson, Azzara, Bardanouve, Bennett, Brand, Cooney, Dozier, Dussault, Gesek, Harper, Harrington, Hemstad, Holmes, Huennekens, Johnson, Kemmis, Kessler, McBride, Manning, Manuel, Metcalf, Nordtvedt, Oberg, Pavlovich, Reichert, Rosenthal, Shelden, Vincent, Waldron, Yardley.
Total 30

Excused: None.
Total 0

Absent or not voting: Burnett, Gould, Hurwitz, Scully.
Total 4

Day, Nathe, Kvaalen, Brand, Marks, Hayne, Thoft, Hand, Burnett, Dassinger objected that HB 792 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

MOTIONS

Dussault moved that HB 773 be taken from Engrossing and referred to the Committee on Appropriations. Motion carried.

Dussault moved that HB 811 be taken from Engrossing and referred to the Committee on Appropriations. Motion carried.

Dussault moved that the rules be temporarily suspended to allow all bills received from Printing this day to be placed on Second Reading on the Forty-fourth Legislative Day. Motion carried.

Dussault moved that the rules be temporarily suspended to allow all bills received from Engrossing this day to be placed on Third Reading on the Forty-fourth Legislative Day. Motion carried.

Nordtvedt moved that he be allowed to change his vote on HJR 47 on the adoption of the Adverse Committee Report from nay to aye. Motion carried unanimously.

Dassinger moved that HB 555 be taken from Third Reading and placed on Second Reading. Motion failed. (37-54)

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Tropila in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 815 do pass. (82-5)

That HB 816 do pass. (62-30)

That HB 817, introduced bill, be amended as follows: (71-13)

1. Page 6, line 18.
Strike: "two"
Insert: "three"

2. Page 6, line 20.
Strike: "Three"
Insert: "Two"

And as amended, pass to the bottom of the board.

That HB 819, introduced bill, be amended as follows: (73-6)

1. Title, line 6.
Following: line 5
Strike: "EXEMPTING BICYCLES FROM TAXATION;"

2. Title, line 7.
Following: line 6
Strike: "15-6-201,"

3. Title, line 8.
Following: line 7
Strike: "AND"
Following: "61-3-321"
Insert: "AND 61-8-605"

4. Page 1, line 11 through line 6 on page 3.
Following: line 10
Strike: section 1 in its entirety
Renumber: subsequent sections

5. Page 7, line 9.
Following: "means"
Insert: ": (1)"

6. Page 7, line 12.
Following: "diameter"
Strike: remainder of lines 12 through 18
Insert: "; or (2) every device equipped with two or three wheels, foot pedals to permit muscular propulsion and an independent power source providing a maximum of two brake horsepower. If a

combustion engine is used, the maximum piston or rotor displacement may not exceed 3.05 cubic inches (50 centimeters) regardless of the number of chambers in the power source. The power source must not be capable of propelling the device, unassisted, at a speed exceeding 30 miles an hour (48.28 kilometers an hour) on a level surface. The device must be equipped with a power drive system that functions directly or automatically only and does not require clutching or shifting by the operator after the drive system is engaged."

7. Page 10.
Following: line 16
Insert: "SECTION 7. SECTION 61-8-605, MCA, IS AMENDED TO READ:

'61-8-605. Riding on roadways and bicycle paths. (1) Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

(2) Persons riding bicycles upon a roadway shall ride in single file except on paths or parts of roadways set aside for the exclusive use of bicycles. A person riding a bicycle may overtake and pass another bicycle when safe to do so and when other traffic is not obstructed by so doing.

(3) Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway. A person riding a bicycle defined in 61-1-123(2) is excluded from the provisions of this subsection when such bicycle is prohibited from using such paths.

(4) A bicycle, as defined in 61-1-123(2), is excluded from the provisions of subsections (1) and (2).'

SECTION 9. THERE IS A NEW MCA SECTION THAT READS:

License required for bicycle. A person operating a bicycle defined in 61-1-123(2) shall have in his possession at all times when operating the bicycle a valid Montana driver's license with a motorcycle endorsement."

And as amended, do pass. (85-1)

That HB 820 do pass. (82-3)

Fagg moved that HB 823 be placed below HB 850 on the Second Reading board. Motion carried.

That HB 825 do pass. (82-0)

That HB 833 do pass. (67-23)

That HB 836 do pass. (92-2)

That HB 840, introduced bill, be amended as follows: (78-3)

1. Title, lines 6 and 7.
Following: "DISPUTES;"
Strike: "INCREASE THE NOTICE REQUIREMENT FOR TERMINATION OF A TENANCY INVOLVING A MOBILE HOME;"

2. Title, line 11.
Strike: "70-24-441,"

3. Page 4, line 9 through line 4 on page 5.
Strike: section 3 in its entirety
Renumber: subsequent section

And as amended, do pass. (71-21)

That HB 842, introduced bill, be amended as follows: (83-0)

1. Page 1, line 24.
Following: "(2)"
Strike: "A"
Insert: "All or part of a"

2. Page 1, line 25.
Following: "maintaining"
Insert: "a"
Following: "minimum"
Strike: "flows for the protection of aquatic life"
Insert: "flow, level, or quality of water as provided in 85-2-316"

3. Page 2, line 2.
Following: "board"
Insert: ", after notice and an opportunity for a hearing,"
Following: "that"
Insert: ": (a)"

4. Page 2, lines 3 and 4.
Following: "required"
Strike: "to protect aquatic life"
Insert: "for its purpose; and

(b) a proposed new use is a higher beneficial use for Montana than that for which the reservation was made"

And as amended, do pass. (91-3)

That HB 845, introduced bill, be amended as follows: (81-1)

1. Page 2, line 5.
Following: "and"
Strike: "all"
Insert: "any other"

2. Page 2, line 5.
Following: "real"
Strike: "and"
Insert: "or"

3. Page 2, lines 5 and 6.
Following: "properties" on line 5
Strike: ", except business inventories and supplies,"

4. Page 11, lines 5 and 6.
Following: "against" on line 5
Strike: "a project or any part of a project"
Insert: "a hospital or long-term care facility leased or owned by a nonprofit corporation"

5. Page 11, line 6.
Following: "is"
Insert: "not"

6. Page 11, line 8.
Following: "may"
Insert: "not"

7. Page 11, line 9.
Following: "indebtedness"
Strike: "for"
Insert: "without"

8. Page 12.
Following: line 5
Insert: "SECTION 11. THERE IS A NEW MCA SECTION THAT READS:

Board of aeronautics. The board of aeronautics may exercise the power and authority of a municipality under Title 90, chapter 5, part 1, MCA, with respect to projects suitable for use by commercial enterprises providing scheduled air transportation services primarily within the state if such projects are located within or based and used primarily within the state. For purposes of this section, the board of aeronautics shall be considered a municipality and a governing body thereof under Title 90, chapter 5, part 1, MCA, and shall give notice of the public hearing required by 90-5-104 in three newspapers published and circulating generally in the state and shall not issue any bonds unless it appears, after the public hearing, that the acquisition or improvements of the project is in the public interest of the state. For purposes of this section, projects suitable for commercial enterprises providing scheduled air transportation services shall include but are not limited to aircraft parts, aircraft, hangars, storage and aircraft maintenance facilities, fuel facilities, and other personal or real property suitable for use by a scheduled air transportation enterprise."

That HB 845, introduced bill, be further amended as follows: (87-2)

1. Page 11, line 17 through line 5 on page 12.
Following: "loans"
Strike: material therein in its entirety through line 5 on page 12
Insert: "authorized. After the authorization of bonds under this part, a municipality or county may make temporary loans upon such terms as it by resolution determines necessary to provide funds immediately required for the purpose authorized. Such loans may not exceed the amount of the bonds and must be evidenced by notes subject to the provisions of 90-5-103. Each note shall be due within 24 months of the date of the loan and is payable to the order of the lender or to the bearer. Each note must be repaid with interest from the proceeds of the bonds when issued and delivered to the purchaser when, by the terms of the bond resolution or indenture, the proceeds may be released for that purpose."

And as amended, do pass. (84-6)

That HB 847, introduced bill, be amended as follows: (88-0)

1. Page 1, line 14.
Following: "house"
Strike: "with the advice of"
Insert: "after consultation with"

2. Page 1, line 18.
Following: "senate"

Strike: "with the advice of"
Insert: "after consultation with"

3. Page 2, line 1.
Strike: "in"
Insert: "after"

4. Page 2, line 8.
Following: "house"
Strike: "in"
Insert: "after"

5. Page 2, line 22.
Following: "committees"
Strike: "in"
Insert: "after"

6. Page 2, line 25.
Following: "speaker"
Strike: "in"
Insert: "after"

7. Page 3, line 21.
Following: "committees"
Strike: "in"
Insert: "after"

8. Page 3, line 24.
Following: "speaker"
Strike: "in"
Insert: "after"

9. Page 4, line 15.
Following: "committees"
Strike: "in"
Insert: "after"

10. Page 4, line 18.
Following: "speaker"
Strike: "in"
Insert: "after"

11. Page 5, line 12.
Following: "committees"
Strike: "in"
Insert: "after"

12. Page 5, line 16.
Following: "speaker"
Strike: "in"
Insert: "after"

13. Page 5, lines 22 and 23.
Following: "house" on line 22
Strike: "with the consent of"
Insert: "after consultation with"

14. Page 5, lines 24 and 25.
Following: "senate" on page 24
Strike: "with the consent of"
Insert: "after consultation with"

And as amended, do pass. (72-20)

That HB 849 do pass. Motion failed. (47-49)

Johnson moved that HB 849 pass consideration for the day. Motion carried. (60-34)

That HB 850 do pass. Motion failed. (42-51)

Keyser moved that HB 850 pass consideration for the day. Motion carried.

That the Committee rise and report. (Tropila, Chairman). Report adopted. (87-2)

MESSAGES FROM THE OTHER HOUSE

House Bill concurred in as amended and returned to the House for concurrence in Senate Amendments: 2/21/79

House Bill No. 415, introduced by Bardanouve

Senate Bill passed on Third Reading Consent Calendar and transmitted to the House for concurrence: 2/21/79

Senate Bill No. 488, introduced by Jergeson, Blaylock, et al

Senate Bills and Senate Joint Resolutions passed and transmitted to the House for concurrence: 2/21/79

Senate Bill No. 192, introduced by Thiessen, Ryan, et al

Senate Bill No. 193, introduced by Jergeson, Thiessen, et al

Senate Bill No. 316, introduced by Fasbender, Stephens

Senate Bill No. 368, introduced by Himsl, Gesek, Watt, et al

Senate Bill No. 394, introduced by Stimatz

Senate Bill No. 449, introduced by McCallum

Senate Bill No. 453, introduced by Manley, Roskie, et al

Senate Joint Resolution No. 4, introduced by Towe, Manning, et al

Senate Joint Resolution No. 18, introduced by Kanduch, Roskie, Hurwitz, Manley

Senate Bills and Senate Joint Resolution passed as amended and transmitted to the House for concurrence: 2/21/79

Senate Bill No. 258, introduced by Dover, Galt, et al

Senate Bill No. 284, introduced by Lowe, Kolstad, Story, et al

Senate Bill No. 302, introduced by Regan, Graham, Hazelbaker

Senate Bill No. 376, introduced by McCallum, Turnage

Senate Bill No. 382, introduced by Thomas

Senate Bill No. 403, introduced by Story

Senate Bill No. 412, introduced by McCallum

Senate Bill No. 416, introduced by Lockrem

Senate Bill No. 429, introduced by Fasbender, South

Senate Joint Resolution No. 5, introduced by Towe, Manning, et al

MOTIONS

Sales moved that he be allowed to change his vote on the adoption of the Adverse Committee Report on HB 563 from absent to no. Motion carried unanimously.

Dussault moved that the House adjourn until 10:00 a.m., February 22, 1979.

Motion carried.

House adjourned at 12 midnight.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

FORTY-FOURTH LEGISLATIVE DAY

Helena, Montana
February 22, 1979

House Chambers
Capitol Building

House convened at 9:59 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Fagg, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Thirty-sixth Legislative Day, find the same to be correct.

METCALF, Chairman

MOTIONS

Dussault moved that the rules be temporarily suspended to allow all bills received from Engrossing this day to be placed on Second Reading this day. Motion carried.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/22/79

Delivered to the Governor for his approval at 9:43 a.m., 2/22/79 - HB 40, HB 69, HB 75.

Correctly engrossed - HB 487, HB 579, HB 600, HB 634.
Correctly printed - HB 54, HB 800.
Considered correctly engrossed - HB 490, HB 638, HB 645, HB 652, HB 682, HB 683, HB 686, HB 687, HB 688, HB 696, HB 698, HB 713, HB 714, HB 722, HB 741, HB 742, HB 746, HB 747, HB 762, HB 769, HB 778, HB 779, HB 780, HB 782, HB 783, HB 787, HB 791, HB 793, HB 797, HB 801, HB 808.

Signed by the Speaker, 2/21/79 - HB 40, HB 69, HB 75, HJR 12.

MOTIONS

Nathe moved that the House reconsider its action taken in failing to pass HB 481 on Second Reading on the Forty-third Legislative Day. Motion carried. (59-34)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 145 was passed by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 87

Noes: Brand, Burnett, Hemstad, Manning, Sales, Thoft, Underdal, Wood.
Total 8

Excused: Fagg.
Total 1

Absent or not voting: Azzara, Bardanouve, Bennett, Marks.
Total 4

House Bill No. 174 (Constitutional Amendment) was passed by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Eudaily, Fabrega, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Johnson, Kanduch, Keedy, Kemmis, Kessler, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Scully, Shelden, Sivertsen, South, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 60

Noes: Anderson, Burnett, Conroy, Donaldson, Ellerd, Ellison, Ernst, Feda, Hand, Hayne, Hurwitz, Iverson, Jensen, Johnston, Keyser, Kropp, Kvaalen, Lien, Marks, Moore, Nordtvedt, Pavlovich, Pistoria, Porter, Ramirez, Roth, Sales, Schultz, Seifert, Smith, Spilker, Staigmiller, Stobie, Thoft, Underdal, Vinger, Wood, Wyrick.
Total 38

Paired: Bardanouve, Aye; Ramirez, No.

Excused: Fagg.
Total 1

Absent or not voting: Bennett.
Total 1

House Bill No. 196 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 83

Noes: Dussault, Hand, Hurwitz, Johnson, Kvaalen, Marks, Nordtvedt, Oberg, Ramirez, Roth, Seifert, Smith, Vinger, Waldron.
Total 14

Excused: Fagg.
Total 1

Absent or not voting: Bardanouve, Bennett.
Total 2

House Bill No. 320 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Fagg.
Total 1

Absent or not voting: Bennett, Dussault, Underdal.
Total 3

House Bill No. 328 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Fagg.
Total 1

Absent or not voting: Bennett, Wyrick.
Total 2

House Bill No. 329 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft,

Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Ellerd, Hayne, Jensen, Keyser, Moore, Nathe, Roth, Smith, Vinger.
Total 9

Excused: Fagg.
Total 1

Absent or not voting: Scully.
Total 1

House Bill No. 342 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: Burnett.
Total 1

Excused: Fagg.
Total 1

Absent or not voting: Stobie.
Total 1

House Bill No. 373 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Hurwitz, Iverson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Yardley.
Total 83

Noes: Dassinger, Dozier, Dussault, Hirsch, Huennekens, Jensen, Johnson, Kvaalen, Moore, Nordtvedt, Oberg, South, Stobie, Vinger, Mr. Speaker.
Total 15

Excused: Fagg.
Total 1

Absent or not voting: Wyrick.
Total 1

House Bill No. 387 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Eudaily, Fabrega, Feda, Gesek, Gilligan, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Pavlovich, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Schultz, Scully, Sivertsen, South, Spilker, Teague, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 66

Noes: Brand, Burnett, Conroy, Curtiss, Ellerd, Ellison, Ernst, Frates, Gould, Hayne, Jensen, Johnson, Johnston, Keyser, Magone, Manning, Manuel, Moore, Oberg, Pistoria, Porter, Roth, Seifert, Smith, Staigmiller, Stobie, Thoft, Underdal, Wyrick.
Total 29

Excused: Fagg.
Total 1

Absent or not voting: Hand, O'Connell, K. Robbins, Shelden.
Total 4

House Bill No. 391 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Conroy, Ellison, Johnson, Stobie, Thoft.
Total 5

Excused: Fagg.
Total 1

Absent or not voting: Sales.
Total 1

House Bill No. 401 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.

Total 97

Noes: Burnett, Roth.
Total 2

Excused: Fagg.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 404 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Brand, Conroy, Frates, Hayne, Johnson, Stobie.
Total 6

Excused: Fagg.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 420 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lory, Lund, McBride, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nordtvedt, Oberg, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 82

Noes: Bengtson, Conroy, Dassinger, Ellerd, Hayne, Jensen, Keyser, Lien, Magone, Moore, Nathe, O'Connell, Pistoria, Rosenthal, Seifert, Smith, Stobie.
Total 17

Excused: Fagg.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 435 was passed by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Bennett, Burnett, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Huennekens, Hurwitz, Johnson, Kanduch, Kessler, Keyser, Lien, Lory, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, H. Robbins, K. Robbins, Rosenthal, Schultz, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vinger, Waldron, Williams, Yardley, Mr. Speaker.
Total 70

Noes: Anderson, Bertelsen, Brand, Dassinger, Ellerd, Hayne, Holmes, Iverson, Jensen, Johnston, Keedy, Kemmis, Kvaalen, Lund, McBride, Magone, Metcalf, Ramirez, Reichert, Roth, Sales, Scully, Sivertsen, Uhde, Vincent, Wood.
Total 26

Excused: Fagg.
Total 1

Absent or not voting: Feda, Kropp, Wyrick.
Total 3

House Bill No. 467 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Ellison, Magone, Moore, Smith, Stobie.
Total 5

Excused: Fagg.
Total 1

Absent or not voting: Bennett.
Total 1

House Bill No. 494 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.

Total 90

Noes: Curtiss, Frates, Hayne, Keyser, Marks, Seifert, Stobie, Thoft, Wood.
Total 9

Excused: Fagg.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 521 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Holmes, Huennekens, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 86

Noes: Brand, Cooney, Curtiss, Ellison, Harrington, Hirsch, Johnson, Lien, McBride, Stobie, Thoft, Wyrick.
Total 12

Excused: Fagg.
Total 1

Absent or not voting: Hurwitz.
Total 1

House Bill No. 555 was passed by the following vote:

Ayes: Anderson, Bennett, Burnett, Conroy, Curtiss, Daily, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Gesek, Gilligan, Hand, Hayne, Hemstad, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Lory, Lund, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, K. Robbins, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Thoft, Tropila, Underdal, Vinger, Wood, Wyrick.
Total 60

Noes: Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Cooney, Dassinger, Day, Dozier, Dussault, Frates, Gould, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnson, Keedy, Kemmis, Kessler, Lien, McBride, Magone, Metcalf, Oberg, Reichert, H. Robbins, Shelden, South, Teague, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 38

Excused: Fagg.
Total 1

Absent or not voting: Rosenthal.
Total 1

House Bill No. 574 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Eudaily, Fabrega, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Marks, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Reichert, K. Robbins, Rosenthal, Sales, Schultz, Seifert, Shelden, Sivertsen, South, Spilker, Stobie, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 77

Noes: Bengtson, Burnett, Conroy, Ernst, Gesek, Hayne, Iverson, Jensen, Manuel, Moore, Nordtvedt, Quilici, H. Robbins, Roth, Smith, Staigmiller, Teague, Thoft, Underdal, Wyrick.
Total 20

Excused: Fagg.
Total 1

Absent or not voting: Ramirez, Scully.
Total 2

House Bill No. 582 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Burnett, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Manning, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Brand, Cooney, Magone, Manuel, Staigmiller.
Total 5

Excused: Fagg.
Total 1

Absent or not voting: Bardanouve, Bertelsen, Ramirez.
Total 3

House Bill No. 589 was passed by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Eudaily, Fabrega, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 77

Noes: Anderson, Bengtson, Bennett, Ernst, Feda, Hayne, Hemstad, Jensen, Keyser, Kvaalen, Marks, Moore, Nathe, Roth, Sales, Schultz, Seifert, Smith, Stobie, Thoft, Vinger, Wyrick.
Total 22

Excused: Fagg.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 591 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Fagg.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 596 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: Keedy.
Total 1

Excused: Fagg.
Total 1

Absent or not voting: Bardanouve.
Total 1

House Bill No. 616 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Day, Frates, Harper, Smith, Stobie, Wood.
Total 6

Excused: Fagg.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 644 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: Brand, Manuel.
Total 2

Excused: Fagg.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 708 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley.

Total 97

Noes: None.
Total 0

Excused: Fagg.
Total 1

Absent or not voting: Ellerd, Mr. Speaker.
Total 2

House Bill No. 733 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: Seifert, Stobie.
Total 2

Excused: Fagg.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 735 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Fagg.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 736 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: Brand, Harper, Marks, Stobie.
Total 4

Excused: Fagg.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 786 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Fagg.
Total 1

Absent or not voting: Ellison, Harrington, Ramirez.
Total 3

House Bill No. 810 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.

Total 96

Noes: O'Connell, Stobie.
Total 2

Excused: Fagg.
Total 1

Absent or not voting: Hand.
Total 1

Consent Calendar

House Joint Resolution No. 38 was passed by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Conroy, Marks, Seifert, Smith.
Total 4

Excused: Fagg.
Total 1

Absent or not voting: Anderson, Ellerd, Fabrega, Moore, Nordtvedt, Wood.
Total 6

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 889, introduced by Scully. Referred to Committee on Appropriations.

HB 890, introduced by Brand, Ramirez, Gerke, Dussault, Van Valkenburg, Blaylock, Mathers, E. Smith, Galt, Stephens, Thomas, Pistoria, Healy, Peterson, Stimatz, Norman, Palmer, Dassinger, Harrington, Staigmiller, McCallum, Oberg, Hirsch, H. Robbins, Meyer, Roth, Menahan, Cooney, Gould, Manning, Ellis, Uhde. Referred to Committee on Appropriations.

The following Senate bills were introduced, read first time and referred to committees:

SB 192, introduced by Thiessen, Ryan, Jergeson, Ellerd, Tropila, Gerke, (By Request of the Legislative Audit Committee). Referred to Committee on Education and Cultural Resources.

SB 193, introduced by Jergeson, Thiessen, Ellerd, Tropila, Gerke, (By Request of the Legislative Audit Committee). Referred to Committee on Education and Cultural Resources.

SB 258, introduced by Dover, Galt, Thiessen, Graham. Referred to Committee on Labor and Employment Relations.
SB 284, introduced by Lowe, Kolstad, Story, McCallum, Underdal, Boylan, Roskie, Towe. Referred to Committee on Judiciary.
SB 302, introduced by Regan, Graham, Hazelbaker. Referred to Committee on Business and Industry.
SB 316, introduced by Fasbender, Stephens. Referred to Committee on Education and Cultural Resources.
SB 368, introduced by Himsl, Gesek, Watt, Palmer, R. Smith. Referred to Committee on Local Government.
SB 376, introduced by McCallum, Turnage. Referred to Committee on Human Services.
SB 382, introduced by Thomas. Referred to Committee on Judiciary.
SB 394, introduced by Stimatz. Referred to Committee on Judiciary.
SB 403, introduced by Story. Referred to Committee on State Administration.
SB 412, introduced by McCallum. Referred to Committee on Local Government.
SB 416, introduced by Lockrem. Referred to Committee on Taxation.
SB 429, introduced by Fasbender, South. Referred to Committee on Appropriations.
SB 449, introduced by McCallum. Referred to Committee on Local Government.
SB 453, introduced by Manley, Roskie, Hand, Marks. Referred to Committee on Natural Resources.
SB 488, introduced by Jergeson, Blaylock, Fasbender, B. Brown, Turnage. Referred to Committee on Judiciary.
SJR 4, introduced by Towe, Manning, Mathers, Severson, Roskie, (By Request of the Coal Tax Oversight Committee). Referred to Committee on Taxation.
SJR 5, introduced by Towe, Manning, Mathers, Severson, Roskie, Galt, (By Request of the Coal Tax Oversight Committee). Referred to Committee on Taxation.
SJR 18, introduced by Kanduch, Hurwitz, Roskie, Manley. Referred to Committee on Natural Resources.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Moore in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SA to HB 415 be concurred in. (94-0)

That HB 76 do pass. (86-1)

Fagg present at this time.

That HB 81 do pass. (88-2)

That HB 298 do pass. (87-3)

That HB 453 do pass. (54-39)

That HB 116 do pass. (49-48)

That HB 295 do pass. (69-27)

That HB 624, introduced bill, be amended as follows: (89-0)

1. Title, lines 7 through 11.
Strike: line 7 through "CHILDREN;" on line 11

2. Title, line 13.
Following: "20-7-411,"
Insert: "AND"

3. Title, line 14.
Strike: "AND 20-7-414,"

4. Page 6, line 22 through line 22 on page 7.
Strike: section 3 in its entirety
Renumber: subsequent sections

5. Page 8, lines 11 through 17.
Following: "satisfactorily."
Strike: remainder of lines 11 through 17 in their entirety

6. Page 8, line 21.
Following: "~~defined~~"
Insert: "as herein defined"

7. Page 8, lines 21 through 23.
Following: "inclusive"
Strike: ", who meets the guidelines established by the board of public education"

8. Page 9, lines 14 and 15.
Following: "district"
Strike: "who meet the guidelines established by the board of public education"

9. Page 9, lines 17 and 18.
Following: "child"
Strike: "who meets the guidelines established by the board of public education"

10. Page 9, line 25 through line 2 on page 10.
Following: "25"
Strike: "who do not meet the guidelines established by the board of public education"

11. Page 11, lines 11 through 14.
Following: "the"
Strike: remainder of line 11 through "the" on line 14

And as amended, do pass. (93-1)

That HB 191 do pass. (93-0)

That HB 244 do pass. (81-0)

Reichert excused at this time.

That HB 245 do pass. Motion failed. (32-61)

That HB 245 do not pass. (54-44)

Seifert excused at this time.

That HB 307 do pass. Motion failed. (37-53)

That HB 307 do not pass. (55-37)

Reichert present at this time.

That HB 386 do pass. (81-9)

That HB 392, second reading copy, be amended as follows: (80-2)

1. Title, line 7.
Following: "GOVERNMENTS"
Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 3.
Following: line 5
Insert: "Section 2. Effective date. This act is effective on its passage and approval."

And as amended, do pass. (84-1)

That HB 403 do pass. (75-16)

That HB 408 do pass. (86-0)

Kvaalen replaced Moore in the chair.

That HB 437 do pass. (86-0)

Moore back in the chair.

That HB 446 do not pass. (82-2)

That HB 460 do pass. (81-0)

That the Committee rise and report and beg leave to sit again. (Moore, Chairman). Report adopted. (82-0)

MOTIONS

Dussault moved that the Senate Amendments to HB 415 be placed on Third Reading this day. Motion carried.

Dussault moved that HB 849 be taken off Second Reading and referred to the Committee on Appropriations. Motion carried.

Dussault moved that HB 386 be taken from Engrossing and referred to the Committee on Appropriations. Motion carried.

Kropp moved that the House reconsider its action taken in adopting the Adverse Committee Report on HB 623 on the Forty-third Legislative Day. Motion carried. (56-34)

Dussault moved that HB 116 be taken from Engrossing and referred to the Committee on Appropriations. Motion carried.

House recessed at 1:11 p.m.

House reconvened at 1:26 p.m.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Amendments to House Bill No. 415 were concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Wood, Wyrick, Yardley, Mr. Speaker.
Total 82

Noes: None.
Total 0

Excused: Seifert.
Total 1

Absent or not voting: Azzara, Brand, Burnett, Conroy, Ellerd, Hirsch, Kvaalen, Nathe, Nordtvedt, Oberg, Quilici, K. Robbins, Roth, Sivertsen, South, Underdal, Williams.
Total 17

House Bill No. 487 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 83

Noes: None.
Total 0

Excused: Seifert.
Total 1

Absent or not voting: Azzara, Bennett, Burnett, Conroy, Ellerd, Gesek, Hirsch, Hurwitz, Kvaalen, Nathe, Oberg, Quilici, K. Robbins, South, Underdal, Vinger.
Total 16

House Bill No. 490 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Spilker, Stobie, Teague, Thoft, Tropila, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.

Total 77

Noes: Brand, Johnson, Keedy, Menahan, Smith, Staigmiller, Uhde, Yardley.
Total 8

Excused: Seifert.
Total 1

Absent or not voting: Azzara, Burnett, Conroy, Ellerd, Ellison, Harper, Hirsch, Lien, Nathe, K. Robbins, Sivertsen, South, Underdal, Wyrick.
Total 14

House Bill No. 579 was passed by the following vote:

Ayes: Anderson, Bardanouve, Bengtson, Bennett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 83

Noes: Baeth, Bertelsen, Brand, Frates, Magone, Staigmiller, Yardley.
Total 7

Excused: Seifert.
Total 1

Absent or not voting: Azzara, Burnett, Ellerd, Harper, Hurwitz, Nathe, K. Robbins, Smith, South.
Total 9

House Bill No. 600 was passed by the following vote:

Ayes: Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, H. Robbins, Roth, Sales, Schultz, Scully, Shelden, Spilker, Staigmiller, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 77

Noes: Anderson, Gould, Holmes, Keedy, Kemmis, Ramirez, Reichert, Rosenthal, Sivertsen, Stobie, Yardley.
Total 11

Excused: Seifert.
Total 1

Absent or not voting: Azzara, Burnett, Ellerd, Harper, Hurwitz, Nathe, Oberg, K. Robbins, Smith, South, Teague.
Total 11

House Bill No. 634 was passed by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, Rosenthal, Roth, Schultz, Scully, Shelden, Sivertsen, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vinger, Williams, Wyrick, Mr. Speaker.
Total 77

Noes: Bardanouve, Dassinger, Dozier, Dussault, Holmes, Huennekens, Moore, Reichert, Sales, Smith, Uhde, Vincent, Waldron, Wood, Yardley.
Total 15

Excused: Seifert.
Total 1

Absent or not voting: Azzara, Burnett, Ellerd, Harper, Nathe, K. Robbins, South.
Total 7

House Bill No. 638 was passed by the following vote:

Ayes: Baeth, Bardanouve, Bennett, Bertelsen, Cooney, Daily, Dassinger, Dozier, Dussault, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Meyer, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Scully, Shelden, Teague, Tropila, Uhde, Vincent, Waldron, Williams.
Total 57

Noes: Anderson, Bengtson, Brand, Conroy, Curtiss, Day, Donaldson, Ellis, Ellison, Ernst, Eudaily, Feda, Hayne, Hirsch, Johnson, Lien, Lory, Lund, Manning, Moore, Nordtvedt, O'Connell, Sales, Schultz, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Thoft, Underdal, Vinger, Wood, Wyrick, Yardley, Mr. Speaker.
Total 36

Excused: Seifert.
Total 1

Absent or not voting: Azzara, Burnett, Ellerd, Nathe, Oberg, South.
Total 6

House Bill No. 645 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.

Total 94

Noes: None.
Total 0

Excused: Seifert.
Total 1

Absent or not voting: Burnett, Ellerd, Nathe, Oberg, South.
Total 5

House Bill No. 652 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Seifert.
Total 1

Absent or not voting: Burnett, Ellerd, Nathe, Oberg, South.
Total 5

House Bill No. 682 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Bengtson, Brand, Day.
Total 3

Excused: Seifert.
Total 1

Absent or not voting: Burnett, Ellerd, Oberg, South.
Total 4

House Bill No. 683 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Seifert.
Total 1

Absent or not voting: Burnett, Jensen, Oberg, Sales.
Total 4

House Bill No. 686 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Bengtson, Day, Frates, Stobie.
Total 4

Excused: Seifert.
Total 1

Absent or not voting: Burnett, Hurwitz, Oberg.
Total 3

House Bill No. 687 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.

Total 96

Noes: None.
Total 0

Excused: Seifert.
Total 1

Absent or not voting: Burnett, Keedy, K. Robbins.
Total 3

House Bill No. 688 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Yardley, Mr. Speaker.
Total 94

Noes: Keedy, Smith, Wyrick.
Total 3

Excused: Seifert.
Total 1

Absent or not voting: Burnett, Wood.
Total 2

House Bill No. 696 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Cooney, Daily, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, Rosenthal, Roth, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 81

Noes: Conroy, Curtiss, Dassinger, Ellerd, Feda, Hayne, Lien, Marks, Ramirez, Sales, Schultz, Smith, Stobie.
Total 13

Excused: Seifert.
Total 1

Absent or not voting: Burnett, Ellison, Keedy, K. Robbins, Wood.
Total 5

House Bill No. 698 was passed by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bennett, Bertelsen, Conroy, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Scully, Sivertsen, Smith, South, Spilker, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 82

Noes: Baeth, Brand, Cooney, Day, Gesek, Johnson, Johnston, Kessler, McBride, Pavlovich, Pistoria, Rosenthal, Shelden, Staigmiller, Uhde.
Total 15

Excused: Seifert.
Total 1

Absent or not voting: Bengtson, Burnett.
Total 2

House Bill No. 713 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Conroy, Smith, Staigmiller, Underdal, Wood.
Total 5

Excused: Seifert.
Total 1

Absent or not voting: Burnett, Day, Sivertsen.
Total 3

House Bill No. 714 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.

Total 98

Noes: None.
Total 0

Excused: Seifert.
Total 1

Absent or not voting: Burnett.
Total 1

House Bill No. 722 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kvaalen, Lory, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, Pavlovich, Pistoria, Porter, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Scully, Shelden, South, Spilker, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 70

Noes: Bardanouve, Conroy, Ellerd, Ellison, Feda, Hayne, Hurwitz, Keyser, Kropp, Lien, Lund, Marks, Nathe, Quilici, Ramirez, Sales, Schultz, Sivertsen, Smith, Staigmiller, Stobie, Thoft, Underdal, Vinger, Wood, Wyrick.
Total 26

Excused: Seifert.
Total 1

Absent or not voting: Burnett, Iverson, O'Connell.
Total 3

House Bill No. 741 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Seifert.
Total 1

Absent or not voting: Burnett.
Total 1

House Bill No. 742 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Seifert.
Total 1

Absent or not voting: Burnett, Stobie.
Total 2

House Bill No. 746 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Conroy, Curtiss, Daily, Day, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.
Total 73

Noes: Azzara, Bertelsen, Brand, Cooney, Dassinger, Dozier, Dussault, Ellis, Frates, Harper, Hirsch, Holmes, Huennekens, Johnson, Keedy, Kemmis, Kessler, McBride, Manning, Metcalf, Oberg, South, Vincent, Waldron, Yardley.
Total 25

Excused: Seifert.
Total 1

Absent or not voting: Burnett.
Total 1

House Bill No. 747 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde,

Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Seifert.
Total 1

Absent or not voting: Burnett.
Total 1

House Bill No. 762 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Seifert.
Total 1

Absent or not voting: Burnett, Dassinger.
Total 2

House Bill No. 769 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Shelden, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 84

Noes: Bennett, Donaldson, Ellerd, Ellison, Hayne, Hemstad, Jensen, Nordtvedt, Sales, Sivertsen, Smith, Stobie, Vinger, Wood.
Total 14

Excused: Seifert.
Total 1

Absent or not voting: Burnett.
Total 1

House Bill No. 778 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Bengtson, Day, Eudaily, Hayne, Lory, Stobie, Wood.
Total 7

Excused: Seifert.
Total 1

Absent or not voting: Burnett, Hurwitz, Sales.
Total 3

House Bill No. 779 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Spilker, Staigmiller, Thoft, Tropila, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 84

Noes: Hayne, Hirsch, Holmes, Oberg, Smith, Stobie, Teague, Uhde, Underdal, Wood.
Total 10

Excused: Seifert.
Total 1

Absent or not voting: Burnett, Ellison, Keedy, Ramirez, South.
Total 5

House Bill No. 780 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.

Total 95

Noes: Kvaalen, Wyrick.
Total 2

Excused: Seifert.
Total 1

Absent or not voting: Burnett, Keedy.
Total 2

House Bill No. 782 was passed by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bertelsen, Brand, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 82

Noes: Azzara, Bardanouve, Bennett, Curtiss, Ellerd, Harper, Iverson, Keedy, Magone, H. Robbins, K. Robbins, Smith, Stobie, Thoft, Wyrick.
Total 15

Excused: Seifert.
Total 1

Absent or not voting: Burnett, Nordtvedt.
Total 2

House Bill No. 783 was passed by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Bardanouve, Bertelsen, Brand, Curtiss, Johnson, Kemmis, K. Robbins, Staigmiller.
Total 8

Excused: Seifert.
Total 1

Absent or not voting: Azzara, Burnett.
Total 2

House Bill No. 787 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Staigmiller, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 81

Noes: Bennett, Donaldson, Ellerd, Ellis, Ellison, Hayne, Jensen, Kvaalen, Lory, Nordtvedt, Porter, Smith, Spilker, Stobie, Thoft, Underdal, Vinger.
Total 17

Excused: Seifert.
Total 1

Absent or not voting: Burnett.
Total 1

House Bill No. 791 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Brand, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Bennett, Bertelsen, Curtiss, Ellison, Porter, Spilker, Vinger.
Total 7

Excused: Seifert.
Total 1

Absent or not voting: Azzara, Burnett.
Total 2

House Bill No. 793 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Jensen, Johnson, Johnston, Kanduch, Keedy, Kessler, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, South, Spilker, Staigmiller, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 79

Noes: Bertelsen, Day, Ellerd, Hayne, Hurwitz, Iverson, Kemmis, Keyser, Kvaalen, Nordtvedt, Porter, K. Robbins, Sivertsen, Smith, Stobie, Thoft, Underdal, Vinger, Wood.
Total 19

Excused: Seifert.
Total 1

Absent or not voting: Burnett.
Total 1

House Bill No. 797 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Seifert.
Total 1

Absent or not voting: Burnett, Daily, Jensen, Kvaalen.
Total 4

House Bill No. 801 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Seifert.
Total 1

Absent or not voting: Burnett, Kropp, Sivertsen, Wyrick.
Total 4

House Bill No. 808 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 93

Noes: Hayne, Johnson, Stobie.
Total 3

Excused: Seifert.
Total 1

Absent or not voting: Burnett, Donaldson, Wyrick.
Total 3

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Moore in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 480 do pass. (93-0)

That HB 476, introduced bill, be amended as follows: (73-9)

1. Page 2.
Following: line 19
Strike: lines 20 through 23 in their entirety
Insert: "(2) No person is eligible for the office of county coroner if he practices, or will practice during his term, as a licensed funeral director or mortician, or if he has or will have during his term, a financial interest in a mortuary as defined in 37-19-101, a cemetery, crematorium, memorial society or any other organization that cares for the remains of deceased persons.

(3) Deputy coroners shall also meet the qualifications in subsection (2)."
Renumber: subsequent subsections

2. Page 3.
Following: line 5
Insert: "Section 3. Codification. This act is intended to be codified as an integral part of Title 7, Chapter 4, Part 25, and the provisions contained in Title 7, Chapter 4, Part 29, shall apply to this act."

That HB 476, introduced bill, be further amended as follows: (87-2)

1. Page 1.

Following: line 23
Insert: "(i) one coroner;"
Renumber: subsequent subsections

2. Page 2, lines 9 through 11.
Strike: subsection (4) in its entirety

And as amended, pass to the bottom of the board.

That HB 558 do pass. (72-12)

That HB 565 do not pass. (58-39)

That HB 571 do pass. (68-16)

That HB 575, introduced bill, be amended as follows: (66-12)

1. Page 6, line 18.
Following: line 17
Strike: line 18 in its entirety
Insert: "compensating landowners for property damage."

2. Page 7, line 10.
Following: "May 1,"
Strike: "1979"
Insert: "1980"

And as amended, do pass. (59-24)

That HB 606 do pass. (76-5)

That HB 615 be moved below HB 635.

That HB 617 do pass. (53-22)

That HB 635, second reading copy, be amended as follows: (71-0)

1. Title, lines 7 and 8.
Following: "REGISTERED"
Strike: "AND TO PROVIDE THAT THE HIGHWAY PATROL INSPECT FOR COMPLIANCE"

And as amended, do pass. (73-3)

That HB 615, introduced bill, be amended as follows: (67-3)

1. Title, line 5.
Following: "BUILDINGS"
Strike: "WITHIN 25 FEET OF"
Insert: "NEAR"

2. Title, line 5.
Following: "DITCHES"
Strike: "OR"
Insert: ","

3. Title, line 6.
Following: "CANALS"
Insert: ", OR LATERALS"

4. Page 1, lines 12 through 21.
Following: "prohibited"
Strike: remainder of lines 12 through 21 in their entirety
Insert: "near canals, ditches, or laterals. (1) No person shall, without prior written approval of the owner or managing agent of a canal,

ditch, or lateral used for carrying water for the purpose of irrigation, drainage, or any other lawful domestic or commercial purpose or for the carrying of wastewater, build, construct, or erect a building or structure within:

(a) 25 feet from the normal high water line of the canal or ditch; or

(b) 12 ½ feet from the normal high water line of the lateral.

(2) The prohibition contained in [this act] shall apply to all canals, ditches, and laterals, the right-of-way to which has been obtained by prescription or conveyance.

(3) The prohibition contained in [this act] shall not apply to the construction or erection of any structure associated with the operation or maintenance of any canal, ditch, or lateral."

5. Page 1, lines 22 through 25.
Following: "Liability."
Strike: remainder of lines 22 through 25 in their entirety
Insert: "In any suit at law or in equity to enforce the provisions of [this act], the successful party shall be entitled to recover from the unsuccessful party the costs of the action, including reasonable attorneys' fees."

And as amended, do not pass. (45-39)

That HB 691, introduced bill, be amended as follows: (77-1)

1. Page 15, line 7.
Following: "of the"
Strike: "general fund"
Insert: "earmarked revenue fund, state insurance commissioner account,"

2. Page 15, line 8.
Following: "section."
Insert: "The fees collected shall be used to pay the cost of the duties imposed upon the commissioner by [this act]."

And as amended, do pass. (66-24)

That HB 694, second reading copy, be amended as follows: (74-0)

1. Page 2, line 9.
Strike: "(I)"
Insert: "(a)"

2. Page 2, line 11.
Strike: "(II)"
Insert: "(b)"

3. Page 2, lines 13 through 15.
Strike: subsection (2)(iii) in its entirety

4. Page 2, line 16.
Strike: "(IV)"
Insert: "(c)"

And as amended, do pass. (82-1)

That HB 695 do pass. (49-30)

That HB 716 do pass. (77-16)

That HB 757, introduced bill, be amended as follows: (84-0)

1. Title, line 8.
Following: "PREMIUMS"
Insert: "; AND PROVIDING APPROPRIATION THEREFOR"

2. Page 1, line 13.
Following: "10"
Insert: "who elects to continue group health insurance at the time of retirement and who is not eligible for medicare"

3. Page 1, line 16 through line 2 on page 2.
Following: "amount"
Strike: remainder of line 16 through line 2 on page 2
Insert: "of $30 per month to be contributed towards his insurance premium as long as the retiree remains eligible under this section.

Section 2. Appropriation. There is hereby appropriated to the Department of Administration from the general fund $18,000 in FY 1980 and $18,000 in FY 1981 to provide the funds to implement this bill."

And as amended, do pass. (77-6)

That HB 766, introduced bill, be amended as follows: (88-0)

1. Title, lines 5 and 6.
Following: "TO"
Strike: "THE DEFINITION OF TOTAL UNEMPLOYMENT,"

2. Title, line 7.
Following: "BENEFITS,"
Strike: "QUALIFYING WAGES,"

3. Title, line 8.
Following: "SECTIONS"
Strike: "39-51-2101,"

4. Title, line 9.
Following: "39-51-2204,"
Insert: "39-51-2302,"

5. Page 1, line 12 through line 19.
Strike: section 1 in its entirety
Renumber: subsequent sections

6. Page 1, line 25.
Following: "~~1 1/2~~"
Strike: "1 1/4"
Insert: "1 1/2"

7. Page 2.
Following: line 1
Insert: "(2) On and after July 1, 1980, to qualify for benefits, an individual must have had at least 20 weeks of work with an average of $50 per week in subject employment in the base period. To qualify for benefits, the total base period wages must be $1,000 or more."
Renumber: subsequent subsection

8. Page 3.
Following: line 6
Insert: "(2) On and after July 1, 1980, an eligible individual's weekly benefit amount shall be the total base period wages divided

by the number of weeks of covered employment times 50%. However, such amount shall not be less than the minimum, nor more than the maximum weekly benefit amount."
Renumber: subsequent subsections

9. Page 4.
Following: line 23
Insert: "0 1.25 8"

10. Page 5.
Following: line 7
Insert: "SECTION 4. SECTION 39-51-2302, MCA, IS AMENDED TO READ:

'39-51-2302. Disqualification for leaving work without good cause. (1) Effective April 1, ~~1977~~ 1979, an individual shall be disqualified for benefits if he has left work without good cause, ~~attributable to the employment:~~.

~~(a) until 6 weeks have elapsed from the effective date of his claim with 6 weeks' reduction of his benefit duration; or~~

~~(b) until he has performed services from the effective date of his claim other than self-employment for which remuneration is received equal to or in excess of his weekly benefit amount in 4 separate weeks subsequent to the week in which the act causing the disqualification occurred, with 4 weeks' reduction of benefit duration, as determined by the division, provided he has not left this work under disqualifying circumstances.~~

(2) He may not be disqualified if the division finds that he left his employment because of personal illness or injury not associated with misconduct or left his employment upon the advice of a licensed and practicing physician and, after recovering from his illness or injury when recovery is certified by a licensed and practicing physician, he returned to his employer and offered his service and his regular or comparable suitable work was not available, if so found by the division, provided he is otherwise eligible.

(3) To requalify for benefits, an individual must perform services other than self-employment for which remuneration is received equal to or in excess of 6 times his weekly benefit amount subsequent to the week in which the act causing the disqualification occurred.'"

11. Page 5, line 11.
Following: "1,"
Strike: "1977"
Insert: "1979"

12. Page 5, line 14.
Following: "employment"
Strike: ":"

13. Page 5, line 15.
Strike: "(a)"

14. Page 5, lines 15 through 17.
Following: "until"
Strike: remainder of subsection (a) in its entirety
Insert: "an individual has performed services, other than self-employment, for which remuneration is received equal to or in excess of

eight times his weekly benefit amount subsequent to the week in which the act causing the disqualification occurred."

15. Page 5, lines 18 through 25.
Strike: subsection (b) in its entirety

16. Page 7, line 20 through line 1 on page 8.
Following: "(4)"
Strike: remainder of subsection (4) in its entirety
Insert: "During the first 13 weeks of unemployment, suitable work is work that meets the criteria in this section and that offers wages equal to the prevailing wage for that area in the individual's customary occupation. After 13 weeks of unemployment, suitable work is work that meets the criteria in this section and that offers 75% of the prevailing wage."

And as amended, do pass. (92-1)

That HB 785, second reading copy, be amended as follows: (75-0)

1. Page 6, line 16.
Following: "notification"
Strike: "by"
Insert: "to"

2. Page 10, line 16.
Following: "protect"
Strike: "registered"
Insert: "heritage"
Following: "properties"
Insert: "and paleontological remains"

That HB 785 be further amended as follows: (77-0)

1. Page 9, line 24.
Following: "action"
Insert: ", provided, however, that where the grant of an interest in state land requires the preparation of an environmental impact statement under the Montana Environmental Policy Act, the environmental impact statement shall be limited to an evaluation of the heritage properties and paleontological remains located in, on, under and within only the affected state land"

And as amended, do pass. (84-0)

That HB 802 do pass. (84-0)

That HB 817, introduced bill, be amended as follows: (77-3)

1. Title, line 7.
Following: "FOR"
Strike: "A MAJORITY OF"
Insert: "TWO"

2. Page 6, line 20.
Following: line 19
Strike: "Three"
Insert: "two"

And as amended, do pass. (60-28)

That HB 823 pass consideration for the day.

Moore moved that the Committee of the Whole Report be deemed read. Motion carried.

That the Committee rise and report and beg leave to sit again. (Moore, Chairman). Report adopted. (82-0)

REPORTS OF STANDING COMMITTEES

Do Pass

RULES (Dussault, Chairman): 2/22/79
HJR 46, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

Senate Bills passed as amended and transmitted to the House for concurrence: 2/22/79

Senate Bill No. 178, introduced by Turnage, Mathers, Stephens, McCallum, et al

Senate Bill No. 256, introduced by Lensink

Senate Bill No. 273, introduced by McCallum

Senate Bill No. 286, introduced by S. Brown, Turnage

Senate Bill No. 346, introduced by Towe, Quilici, Lowe

Senate Bill No. 351, introduced by Turnage

Senate Bill No. 370, introduced by Etchart, Mathers, McCallum, et al

Senate Bill No. 404, introduced by Kolstad

Senate Bill No. 415, introduced by Bob Brown, Lockrem

Senate Bill No. 441, introduced by Lensink

Senate Bill No. 456, introduced by Thomas

Senate Bill No. 465, introduced by Jergeson

Senate Bill No. 467, introduced by Lowe, Kolstad, et al

Senate Bill No. 468, introduced by Stimatz, Galt

Senate Bill No. 473, introduced by B. Brown, R. Smith, S. Brown, E. Smith

Senate Bill No. 501, introduced by Etchart

Senate Bill No. 503, introduced by Lockrem, Watt

Senate Bill No. 504, introduced by Watt, Ellis, Palmer

Senate Bills and Senate Joint Resolutions passed and transmitted to the House for concurrence: 2/22/79

Senate Bill No. 262, introduced by McCallum, Hafferman, et al

Senate Bill No. 321, introduced by Roskie, Rasmussen, Ryan, Healy

Senate Bill No. 426, introduced by Stimatz, Ryan

Senate Bill No. 431, introduced by Hafferman, Graham

Senate Bill No. 432, introduced by Hafferman, Boylan, Mehrens

Senate Bill No. 455, introduced by Lockrem

Senate Bill No. 461, introduced by S. Brown, Van Valkenburg

Senate Bill No. 462, introduced by Manley

Senate Bill No. 466, introduced by Turnage

Senate Bill No. 516, introduced by Turnage

Senate Bill No. 520, introduced by request of Agriculture Committee

Senate Joint Resolution No. 19, introduced by Anderson, Lowe, Aklestad, O'Hara, et al

Senate Joint Resolution No. 22, introduced by Jergeson, Galt, Norman, Kolstad, et al

Senate Joint Resolution No. 26, introduced by Severson, Bob Brown, O'Hara, et al

Senate Joint Resolution No. 27, introduced by S. Brown

Senate Joint Resolution No. 28, introduced by Senate Committee on Agriculture

MESSAGES FROM THE GOVERNOR

The Honorable Harold Gerke 2/22/79
Speaker
House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that I have signed the following measures this date.

House Bill Nos. 7, 8, 28, 29, 31, 42, 97, and 168.

Sincerely,

Thomas L. Judge
Governor

MOTIONS

Dussault moved that the rules be temporarily suspended to allow all bills received from Printing this day to be placed on Second Reading this day. Motion carried.

House at ease at 4:59 p.m.

House reconvened at 5:10 p.m.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Marks in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 827, introduced bill, be amended as follows: (78-0)

1. Page 1, line 16.
Following: "council"
Insert: "and the representatives of the employees affected"

And as amended, do pass. (86-1)

That HB 846, introduced bill, be amended as follows: (80-0)

1. Title, lines 5 and 6.
Following: "SALESMEN"
Strike: remainder of line 5 through "ESTATE" on line 6

2. Title, line 7.
Following: "SECTIONS"
Strike: "2-15-1642,"
Following: "37-51-102,"
Strike: "37-51-205,"

3. Title, line 8.
Following: "37-51-305,"
Strike: "AND"
Following: "37-51-308"
Strike: "THROUGH"
Insert: ", 37-51-309, AND"

4. Page 1, line 11 through line 8 on page 3.
Strike: sections 1 and 2 in their entirety
Renumber: subsequent sections

5. Page 5, lines 8 through 19.
Strike: section 4 in its entirety
Renumber: subsequent sections

6. Page 9, line 22 through line 4 on page 10.
Strike: section 9 in its entirety
Renumber: subsequent section

7. Page 10, line 7 through line 10 on page 11.
Following: "(1)"
Strike: remainder of subsection (1) in its entirety
Insert: "The board shall adopt a schedule of fees to be charged by the department and to be paid into the earmarked revenue fund for the use of the board. The fees charged must be reasonably related to the cost incurred in regulating the real estate industry."

And as amended, pass to the bottom of the board.

That HB 850, introduced bill, be amended as follows: (72-3)

1. Page 1, lines 23 and 24.
Following: "$50"
Strike: "or be imprisoned in the county jail for any term not to exceed 6 months, or both"

And as amended, do pass. (70-18)

That HB 851, introduced bill, be amended as follows: (82-0)

1. Page 3, line 18.
Following: "by"
Strike: "a"
Insert: "at"

2. Page 3, line 19.

Following: "government"
Insert: "registered at the last general election"

3. Page 4, line 14.
Following: "a"
Strike: "study commission"
Insert: "similar petition circulated or a resolution calling for an election on county merger adopted by the governing body"

4. Page 5, line 9.
Following: "government;"
Insert: "and"

5. Page 5, lines 10 through 17.
Strike: subsections (4) and (5) in their entirety
Renumber: subsequent subsection

That HB 851, introduced bill, be further amended as follows: (82-0)

1. Page 3, line 18.
Following: "by"
Strike: "a"
Insert: "at"

2. Page 3, line 19.
Following: "government"
Insert: "voting at the last general election"

And as amended, do pass. (84-2)

That HB 855 pass consideration until the Forty-sixth Legislative Day.

That HB 856, introduced bill, be amended as follows: (70-0)

1. Title, line 5.
Following: "EMPLOYEES"
Insert: "OF THE UNIVERSITY SYSTEM"

2. Page 1, line 16.
Following: "employees"
Insert: "of the university system"

3. Page 1, line 17.
Following: "(2)"
Insert: "Except as provided in subsection (1),"

4. Page 1, line 17.
Following: "(2)"
Strike: "All"
Insert: "all"

5. Page 1, line 20.
Following: "~~period~~"
Insert: "for the preceding payroll period"

6. Page 1, line 22.
Following: "~~payroll~~"
Strike: "payroll"
Insert: "Such pay date shall be uniform for all employees of each state agency employed in the same geographic area and payroll"

And as amended, do pass. (78-0)

That HB 859, introduced bill, be amended as follows: (77-0)

1. Page 6, line 10.
Following: "~~days~~"
Insert: "of more than 5 working days or without a continuous absence without pay of more than 15 working days"

2. Page 8, lines 4 and 5.
Strike: ", except during the initial 6-month probation period"
Insert: "exceeding 15 working days"

3. Page 10, lines 12 and 13.
Strike: "except during the 90-day qualifying period"
Insert: "exceeding 15 working days"

And as amended, do pass. (85-0)

That HB 860 do pass. (81-1)

That HB 861 do pass. (84-4)

That HB 863 do pass. (82-0)

That HB 864 do pass. (78-0)

That HB 870 be moved to the bottom of the board. Motion carried.

That HB 875 do pass. (72-15)

That HB 877 do pass. (56-41)

That HB 879 do pass. (54-40)

Smith excused at this time.

That HB 880, second reading copy, be amended as follows: (77-3)

1. Page 2, lines 1 through 7.
Strike: lines 1 through 7 in their entirety
Insert: "(2) All teachers applying for first renewal of an original teaching certificate issued in Montana after July 1, 1979, or converting a Class 5 provisional certificate issued in Montana after July 1, 1979, must satisfy the requirements for instruction in American Indian studies as defined in 20-4-211 as a prerequisite to recertification. Three quarter credits will satisfy subsection (2) (a) of 20-4-211."

And as amended, do pass. Motion failed. (43-54)

That HB 880, as amended, do not pass. (51-38)

That HB 881 do pass. (66-19)

Marks moved that the Committee of the Whole Report be deemed read. Motion carried.

That the Committee rise and report and beg leave to sit again. (Marks, Chairman). Report adopted. (71-14)

REPORTS OF STANDING COMMITTEES

Do Pass

RULES (Dussault, Chairman): 2/22/79
HB 837, do pass. Report adopted.

MOTIONS

Dussault moved that the rules be temporarily suspended to allow all bills not amended out of committee with do pass recommendations to be placed on Second Reading this day. Motion carried.

Dussault moved that HB 823 be placed at the bottom of the Second Reading Board this day. Motion carried.

Iverson moved that HB 788 be taken from the Committee on Highways and Transportation and placed on Second Reading this day. Motion carried.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/22/79

Considered correctly engrossed - HB 76, HB 191, HB 244, HB 295, HB 298, HB 403, HB 408, HB 437, HB 453, HB 460, HB 480, HB 558, HB 695, HB 815, HB 816, HB 820, HB 825, HB 833, HB 836.

Correctly engrossed - HB 649, HB 655, HB 661, HB 701, HB 717, HB 732, HB 749, HB 751, HB 759, HB 767, HB 774, HB 775, HB 803, HB 805, HB 819, HB 840, HB 842, HB 845, HB 847.

House at ease at 7:44 p.m.

House reconvened at 7:57 p.m.

Smith present at this time.

REPORTS OF STANDING COMMITTEES

Adverse Committee Reports

On motion by Shelden, the Adverse Committee Report on HB 312 was adopted by the following vote: (88-1)

Ayes: Anderson, Baeth, Bardanouve, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: Waldron.
Total 1

Excused: Seifert.
Total 1

Absent or not voting: Azzara, Bengtson, Brand, Ellerd, Ellison, Fabrega, Fagg, Gould, Huennekens, Johnston.
Total 10

On motion by O'Connell, the Adverse Committee Report on HB 384 was adopted by the following vote: (82-8)

Ayes: Anderson, Baeth, Bardanouve, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Eudaily, Fabrega, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria,

Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 82

Noes: Ernst, Feda, Keedy, Kropp, Schultz, Scully, Uhde, Vinger.
Total 8

Excused: Seifert.
Total 1

Absent or not voting: Azzara, Bengtson, Brand, Ellerd, Ellison, Fagg, Huennekens, Metcalf, Wood.
Total 9

On motion by O'Connell, the Adverse Committee Report on HB 656 was adopted by the following vote: (73-20)

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Hand, Harper, Hayne, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Porter, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 73

Noes: Burnett, Cooney, Curtiss, Daily, Ernst, Gould, Harrington, Hemstad, Holmes, Johnston, Magone, Pavlovich, Pistoria, Quilici, H. Robbins, Schultz, Scully, Teague, Tropila, Waldron.
Total 20

Excused: Seifert.
Total 1

Absent or not voting: Azzara, Ellerd, Ellison, Fagg, Keyser, Oberg.
Total 6

On motion by O'Connell, the Adverse Committee Report on HB 826 was adopted by the following vote: (69-24)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Eudaily, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Lory, Lund, McBride, Magone, Manning, Marks, Menahan, Metcalf, Nathe, Oberg, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Thoft, Vincent, Vinger, Waldron, Williams, Mr. Speaker.
Total 69

Noes: Burnett, Cooney, Ernst, Fabrega, Huennekens, Keyser, Kvaalen, Lien, Manuel, Meyer, Moore, Nordtvedt, Porter, Sales, Schultz, Scully, South, Teague, Tropila, Uhde, Underdal, Wood, Wyrick, Yardley.
Total 24

Excused: Seifert.
Total 1

Absent or not voting: Bengtson, Brand, Ellerd, Ellison, Fagg, O'Connell.
Total 6

On motion by O'Connell, the Adverse Committee Report on HB 834 was adopted by the following vote: (83-11)

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Daily, Day, Dozier, Ellis, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.
Total 83

Noes: Bardanouve, Burnett, Curtiss, Dassinger, Donaldson, Dussault, Hirsch, Oberg, South, Wood, Yardley.
Total 11

Excused: Seifert.
Total 1

Absent or not voting: Azzara, Ellerd, Ellison, Fagg, Lien.
Total 5

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Marks in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 882, introduced bill, be amended as follows: (77-6)

1. Page 2, lines 1 through 15.
Strike: lines 1 through 15 in their entirety
Renumber: subsequent subsection

2. Page 2, line 16.
Following: "person"
Insert: "who has attained the age of majority"

3. Page 3, line 15.
Following: "in"
Strike: "assessed"
Insert: "market"
Following: "~~$20,000~~"
Strike: "$30,000"
Insert: "$50,000"

And as amended, do pass. (79-11)

That HB 883 do pass. (95-0)

That HB 885, introduced bill, be amended as follows: (77-10)

1. Page 3, line 15.
Following: "~~thereof or~~"
Insert: "or"

And as amended, do pass. Motion failed. (26-68)

That HB 885, as amended, do not pass. (72-22)

That HB 886, introduced bill, be amended as follows: (85-1)

1. Page 2, line 15.
Following: "their"
Strike: "deputies"
Insert: "chief deputy"

And as amended, do pass. (93-0)

That HB 887 do pass. (84-3)

Moore replaced Marks in the Chair.

That Committee of the Whole Amendment to House Bill No. 476, introduced bill, dated 2/21/79, 2:35 p.m., sponsored by H. Robbins, be amended as follows: (76-5)

1. Amendments 1 and 2.
Strike: amendments 1 and 2 in their entirety

That Committee of the Whole Amendment to House Bill No. 476, introduced bill, dated 2/21/79, 10:20 p.m., sponsored by Fabrega, be amended as follows:

2. Amendments 1 and 2.
Strike: amendments 1 and 2 in their entirety

That HB 476, introduced bill, be amended as follows:

3. Page 1.
Following: line 24
Insert: "(i) one coroner;"
Renumber: subsequent subsections

4. Page 2, lines 9 through 11.
Strike: subsection (4) in its entirety

5. Page 2.
Following: line 19
Strike: lines 20 through 23 in their entirety
Insert: "(2) No person is eligible for the office of county coroner if he practices or will practice, during his term, as a licensed funeral director or mortician or if he has or will have, during his term, a financial interest in a mortuary as defined in 37-19-101, a cemetery, crematorium, memorial society, or any other organization that cares for the remains of deceased persons. This subsection does not apply to counties which have only one licensed funeral director or mortician and where no apparent conflict of interest may develop.

(3) Deputy coroners shall also meet the qualifications in subsection (2)."
Renumber: subsequent subsections

6. Page 3, lines 3 through 5.
Strike: subsection (4) in its entirety

7. Page 3.
Following: line 5
Insert: "SECTION 3. THERE IS A NEW MCA SECTION THAT READS:

Grandfather clause. A coroner presently serving shall be allowed to complete the term for which he was appointed or elected.

Section 4. Codification. This act is intended to be codified as an integral part of Title 7, Chapter 4, Part 29, and the provisions contained in Title 7, Chapter 4, Part 29, shall apply to this act."

That HB 476, introduced bill, be further amended as follows: (78-11)

1. Title, lines 4 and 5.
Following: "TO"
Strike: "MAKE THE OFFICE OF COUNTY CORONER AN APPOINTIVE OFFICE; SETTING"
Insert: "SET"

2. Title, line 6.
Following: "PROHIBITIONS"
Insert: "FOR THE OFFICE OF COUNTY CORONER"

And as amended, do pass. (51-41)

Marks returned to the Chair.

That HJR 6, introduced bill, be amended as follows: (82-6)

1. Title, line 9.
Following: "AFFECTED"
Strike: ";"
Insert: "AND"

2. Title, lines 11 through 13.
Following: "MANAGEMENT"
Strike: remainder of line 11 through "USE" on line 13

3. Page 1, lines 20 through 22.
Following: "Americans"
Strike: remainder of line 20 through "vehicle" on line 22

4. Page 2, line 5.
Following: "supply"
Insert: "and timber harvest"

5. Page 2, line 8.
Following: "programs"
Strike: "all of"
Following: "which"
Strike: "encroach upon the"
Insert: "affect"

6. Page 2, line 19.
Following: "decisions,"
Strike: "from"
Insert: "in"
Following: "which"
Insert: "input by"

7. Page 2, line 20.
Following: "policymakers"
Strike: "are excluded"

Insert: "is limited"
Following: "to"
Strike: "subvert"
Insert: "reduce"

8. Page 3, line 22.
Following: "specific"
Strike: "approval"
Insert: "review"

9. Page 3, line 23 through line 3 on page 4.
Following: "states."
Strike: remainder of line 23 through line 3 on page 4

10. Page 4, lines 9 through 17.
Following: line 8
Strike: lines 9 through 17 in their entirety

And as amended, do pass. (63-31)

That HJR 11, introduced bill, be amended as follows: (76-1)

1. Title, line 8.
Following: "HOSPITAL"
Insert: "AND BOULDER RIVER SCHOOL AND HOSPITAL"

2. Page 1, line 12.
Following: "services"
Insert: "or are developmentally disabled"

3. Page 1, line 14.
Following: "Hospital"
Insert: "or at Boulder River School and Hospital"

4. Page 1, line 20.
Following: "illness"
Insert: "or developmental disabilities"

5. Page 1, line 22.
Following: "Hospital"
Insert: "and Boulder River School and Hospital"

6. Page 2, line 13.
Following: "Hospital"
Insert: "and Boulder River School and Hospital"

And as amended, do pass. (85-9)

That HJR 14, introduced bill, be amended as follows: (82-0)

1. Page 1, line 23.
Following: "WHEREAS,"
Strike: "Representative Marlenee has introduced"

2. Page 1, line 24.
Following: "13961"
Insert: "has been introduced"

And as amended, do pass. (84-5)

That HJR 34 do pass. (81-4)

That HJR 36, introduced bill, be amended as follows: (67-13)

1. Page 1, line 14.

Following: "Fort"
Strike: "Benton"
Insert: "Peck"

And as amended, do pass. (62-26)

That HJR 37 do pass. (86-0)

That HJR 40, introduced bill, be amended as follows: (90-0)

1. Title, line 8.
Following: line 7
Strike: "ON"
Insert: "OF POSSIBLE CONSOLIDATION, FUNDING ALTERNATIVES, AND"

2. Page 2, line 12.
Following: "effectiveness,"
Insert: "stability,"

And as amended, do pass. (83-2)

That HJR 41 do pass. (80-1)

That HJR 43 do pass. (85-1)

That HJR 45 do pass. (87-1)

That HJR 48 do pass. (93-0)

That HJR 49 do pass. (87-7)

Marks moved that the Committee of the Whole Report be deemed read. Motion carried.

That the Committee rise and report and beg leave to sit again. (Marks, Chairman). Report adopted. (78-8)

House at ease at 10:15 p.m.

House reconvened at 10:22 p.m.

MOTIONS

Dussault moved that HB 647, HB 679, HB 681 be rereferred from the Select Committee on Aging to the Committee on Appropriations. Motion carried.

Dussault moved that HB 757 be taken from Engrossing and referred to the Committee on Appropriations. Motion carried.

Dussault moved that HB 357 be rereferred from the Select Committee on Employee Compensation to the Committee on Appropriations. Motion carried.

Scully moved that HB 831 be taken off Second Reading and referred to the Committee on Taxation. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Marks in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 2, introduced bill, be amended as follows: (88-4)

1. Page 6, line 5.
Strike: "14"
Insert: "7"

2. Page 6, line 19.
Following: "requirements."
Insert: "(1)"

3. Page 6, line 23.
Strike: "(1)"
Insert: "(a)"

4. Page 7, line 5.
Strike: "(2)"
Insert: "(b)"

5. Page 7, line 8.
Strike: "(3)"
Insert: "(c)"

6. Page 10.
Following: line 10
Insert: "(2) The department may adopt rules to administer and enforce [this act]."

And as amended, do pass. (64-34)

That HB 54 pass consideration for the day.

That HB 800, third reading copy, be amended as follows: (74-3)

1. Page 3, line 11.
Strike: "of his or its own breeding and raising"

2. Page 4, line 8.
Following: "livestock brokers,"
Strike: "and"
Insert: "or"

3. Page 10, line 6.
Strike: "board"
Insert: "department"

4. Page 13, lines 5 through 9.
Strike: lines 5 through 9 in their entirety

5. Page 16, line 5.
Following: "["
Strike: "sections 9 through 23"
Insert: "section 4"

6. Page 16, line 9.
Strike: "who has been"
Following: "convicted of a"
Insert: "subsequent"

7. Page 16, lines 10 and 11.
Following: "23]"

Strike: "and who subsequently is found guilty of another violation of [sections 9 through 23]"
Insert: "or rules adopted under [section 4]"

8. Page 16, line 23.
Strike: "certificate"
Insert: "license"

9. Page 18, line 10.
Following: "assets"
Strike: ";"

10. Page 20, line 17.
Following: "[this act]"
Insert: "or rules adopted under [this act]"

11. Page 21, line 19.
Following: "under ["
Strike: "sections 25 through 28"
Insert: "section 4"

12. Page 21, line 24.
Following: "all"
Strike: "actions for violation of the provisions"
Insert: "misdemeanor and civil violations"

And as amended, do pass. (93-2)

Dussault moved that the Committee of the Whole Report be deemed read. Motion carried.

That the Committee rise and report. (Marks, Chairman). Report adopted. (86-3)

Dussault moved that the House adjourn until 12:10 a.m., February 23, 1979.

Motion carried.

House adjourned at 11:57 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

FORTY-FIFTH LEGISLATIVE DAY

Helena, Montana
February 23, 1979

House Chambers
Capitol Building

House convened at 12:10 a.m., Mr. Speaker in the Chair. Invocation by Representative Harper. Pledge of Allegiance to the Flag.

Roll call. All members present except Brand, O'Connell, Seifert, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 2/22/79

Considered correctly engrossed - HB 81, HB 571, HB 606, HB 617, HB 716, HB 802, HB 860, HB 861, HB 863, HB 875, HB 877, HB 879, HB 887.

2/23/79

Considered correctly engrossed - HB 481, HB 623, HB 684, HB 731, HB 788, HB 846, HB 864, HB 870, HB 881, HB 883, HJR 34, HJR 37, HJR 41, HJR 43, HJR 45, HJR 48, HJR 49.

2/22/79

Correctly engrossed - HB 392, HB 575, HB 624, HB 635, HB 694, HB 757, HB 850, HB 856.

2/23/79

Correctly engrossed - HB 2, HB 43, HB 436, HB 476, HB 559, HB 691, HB 766, HB 781, HB 785, HB 800, HB 817, HB 827, HB 837, HB 851, HB 853, HB 859, HB 865, HB 882, HB 886, HJR 6, HJR 11, HJR 14, HJR 36, HJR 40, HJR 46.

Correctly enrolled - HB 415.

Examined by the Sponsor and found to be correct - HB 415.

Will be signed by the Speaker on adjournment, 2/23/79 - HB 415.

MOTIONS

Dussault moved that the rules be temporarily suspended to allow that all printing reports be deemed read this day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time and referred to committee:

HB 891, introduced by South, Gerke, Dussault, Vincent, Ramirez. Referred to Committee on Appropriations.

The following Senate bills were introduced, read first time and referred to committees:

SB 178, introduced by Turnage, Mathers, Stephens, McCallum, B. Brown, Lensink, Kolstad, E. Smith, Anderson, R. Smith, Ryan, Himsl, Manley, Boylan, Van Valkenburg, Watt, Aklestad, Galt, S. Brown, Conover, Peterson, Mehrens, Goodover, Graham, Thomas, Lockrem, Manning, Fasbender, Blaylock, Stimatz, O'Hara, Olson, Hafferman, Thiessen, Hazelbaker, Dover, Hager, Lowe, Healy, Nelson, Severson, Rasmussen, Etchart, Story, Roskie, Regan, Towe, Palmer, Jergeson. Referred to Committee on Education and Cultural Resources.

SB 256, introduced by Lensink, (By Request of the Secretary of State and the Attorney General). Referred to Committee on Judiciary.

SB 262, introduced by McCallum, Hafferman, Uhde, Magone, Kropp, Kanduch, Baeth, Ellis, Stobie, Hayne, Feda, Nathe, Lund, Keyser, R. Anderson, Roth, Wyrick, Curtiss, Cooney, B. Brown, Hurwitz, Rosenthal, Turnage, Dussault, Thoft, Iverson, Burnett, Schultz, Marks, Bennett, Jensen, Lory, Underdal, Eudaily, Gould, Hager, Palmer, Ernst, S. Brown, Shelden. Referred to Committee on Education and Cultural Resources.

SB 273, introduced by McCallum. Referred to Committee on Education and Cultural Resources.

SB 286, introduced by S. Brown, Turnage. Referred to Committee on State Administration.

SB 321, introduced by Roskie, Rasmussen, Ryan, Healy. Referred to Committee on Labor and Employment Relations.

SB 346, introduced by Towe, Quilici, Lowe. Referred to Committee on Judiciary.

SB 351, introduced by Turnage. Referred to Committee on State Administration.

SB 370, introduced by Etchart, Mathers, McCallum, Anderson, Conover, E. Smith, Thiessen, Hazelbaker. Referred to Committee on State Administration.

SB 404, introduced by Kolstad. Referred to Committee on Judiciary.

SB 415, introduced by B. Brown, Lockrem. Referred to Committee on Taxation.

SB 426, introduced by Stimatz, Ryan. Referred to Committee on Judiciary.

SB 431, introduced by Hafferman, Graham, (By Request of the Department of Professional and Occupational Licensing). Referred to Committee on Judiciary.

SB 432, introduced by Hafferman, Boylan, Mehrens. Referred to Committee on Judiciary.

SB 441, introduced by Lensink. Referred to Committee on Education and Cultural Resources.

SB 455, introduced by Lockrem, (By Request of the State Auditor). Referred to Committee on Business and Industry.

SB 456, introduced by Thomas. Referred to Committee on Fish and Game.

SB 461, introduced by S. Brown, Van Valkenburg. Referred to Committee on Judiciary.

SB 462, introduced by Manley. Referred to Committee on Local Government.

SB 465, introduced by Jergeson. Referred to Committee on Agriculture, Livestock and Irrigation.

SB 466, introduced by Turnage. Referred to Committee on Business and Industry.

SB 467, introduced by Lowe, Kolstad, Stephens, Towe, Boylan. Referred to Committee on Labor and Employment Relations.

SB 468, introduced by Stimatz, Galt. Referred to Committee on Judiciary.

SB 473, introduced by B. Brown, R. Smith, S. Brown, E. Smith. Referred to Committee on Highways and Transportation.

SB 501, introduced by Etchart. Referred to Committee on Fish and Game.

SB 503, introduced by Lockrem, Watt. Referred to Committee on Local Government.

SB 504, introduced by Watt, Ellis, Palmer. Referred to Committee on Fish and Game.

SB 516, introduced by Turnage, (By Request of Senate Judiciary Committee). Referred to Committee on Judiciary.

SB 520, (introduced By Request of Agriculture Committee). Referred to Committee on Agriculture, Livestock and Irrigation.

SJR 19, introduced by Anderson, Lowe, Aklestad, O'Hara, Lensink, Hazelbaker, S. Brown, Hirsch, McCallum, Van Valkenburg, E. Smith, Turnage, Hafferman. Referred to Committee on Business and Industry.

SJR 22, introduced by Jergeson, Galt, Norman, Kolstad, E. Smith, S. Brown, Peterson, B. Brown, Blaylock, O'Hara, Cooney, Hirsch, Vincent. Referred to Committee on Agriculture, Livestock and Irrigation.

SJR 26, introduced by Severson, B. Brown, O'Hara, Conover, Hafferman, Wyrick. Referred to Committee on Agriculture, Livestock and Irrigation.

SJR 27, introduced by S. Brown, (By Request of the Senate Judiciary Committee). Referred to Committee on Judiciary.

SJR 28, (introduced by Senate Committee on Agriculture). Referred to Committee on Agriculture, Livestock and Irrigation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Tropila in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 853, introduced bill, be amended as follows: (72-19)

1. Title, line 7.
Following: "GOVERNOR,"
Strike: "ATTORNEY GENERAL, SUPERINTENDENT OF PUBLIC INSTRUCTION, SECRETARY OF STATE, STATE AUDITOR, CLERK OF THE SUPREME COURT, PUBLIC SERVICE COMMISSIONER,"

2. Page 2, line 4.
Following: "governor-lieutenant governor"
Strike: ", attorney general, superintendent of public instruction, secretary of state, state auditor, clerk of the supreme court, or public service commissioner"

3. Page 2, line 14.
Following: "17-2-102."
Strike: "The maximum amount of money that may be in the fund in a given year, denoted Y, is computed as follows:
(Y-1980)
$500,000 x (1.03)"

4. Page 2, line 19.
Following: "fund."
Strike: "Money in excess of the authorized fund limit provided in subsection (1) shall be deposited in the general fund."

5. Page 2, line 22.
Following: "(3)"
Insert: "(a)"

6. Page 3, lines 2 through 21.
Following: "~~legislature~~"
Strike: remainder of line 2 through line 21 in their entirety
Insert: "in equal amounts to the candidate according to the percentages in (3) (b). The money shall be spent only for the legitimate campaign expenses of the candidates.

(b) The money shall be distributed in the following percentages:

governor-lieutenant governor, 60%

chief justice of supreme court, 20%

justice of supreme court, 20%

(4) Three months before the general election in a general election year the remainder of any money in the fund shall be remitted to the treasurer of each candidate in the same proportion as provided in subsection (3) (b)."

7. Page 4, line 10.
Following: "candidate"
Strike: "and his principal political committee"

8. Page 4, line 11.
Following: "total of"
Strike: "four"
Insert: "three"

9. Page 4, line 12.
Following: "fund"
Insert: "by a candidate for governor-lieutenant governor or two times the amount received by a candidate for chief justice or associate justice of the supreme court"

And as amended, do pass. (49-47)

That HB 846 do pass. (68-24)

That HB 870 do pass. (68-21)

That HJR 46, introduced bill, be amended as follows: (85-3)

1. Title, line 10.
Following: "7-6"
Insert: "; AND PROVIDING AN EFFECTIVE DATE"

2. Page 2, line 23.
Following: "standing"
Insert: "and interim"

3. Page 2, line 25 through line 15 on page 3.
Strike: line 25 on page 2 through line 15 on page 3 in its entirety
Insert: "(1) Agriculture and Business
(2) Community Affairs
(3) Finance
(4) Human Services
(5) Legal Services
(6) Resources and Conservation
(7) Revenue
(8) State Government"

4. Page 3, line 24.
Following: "shall"

Strike: "advise and oversee executive branch"
Insert: "serve in an oversight capacity to state"
Following: "agencies"
Strike: remainder of line 24 through line 3 on page 5 in its entirety
Insert: "."

5. Page 5, lines 13 and 14.
Following: "Committees on"
Strike: "Budget and Program Planning"
Insert: "Finance"

6. Page 6, line 2.
Following: "~~Appropriations~~"
Strike: "Budget and Program Planning"
Insert: "Finance"

7. Page 6, line 9.
Following: "Committees on"
Strike: "Budget and Program Planning"
Insert: "Finance"

8. Page 6, line 12.
Following: "~~Appropriations~~"
Strike: "Budget and Program Planning"
Insert: "Finance"

9. Page 6.
Following: line 13
Insert: "BE IT FURTHER RESOLVED, that there is a new section in the Joint Rules of the Montana Legislature, numbered 6-6.1 that reads:

'6-6.1. The legislative council may draft any number of bills for each legislator provided that the bill requests are made prior to the first legislative day. Following the first legislative day a legislator may submit not more than two drafting requests to the legislative council. Bills meeting the following conditions do not come under this limit:

(1) the bill has been found to have been drafted in substantially final form by the rules committee of the house in which it was introduced; or

(2) the bill's concept has been presented to an interim committee and was approved during the interim by that committee for drafting.'

BE IT FURTHER RESOLVED, that this resolution is effective upon adjournment of the regular session of the 46th Legislature."

And as amended, do pass. (88-5)

That HB 837, introduced bill, be amended as follows: (92-3)

1. Title, line 4.
Following: "REVISING THE"
Strike: "INTERIM"

2. Title, line 8.
Following: "COMMITTEE"
Insert: "AND LEGISLATIVE"

3. Title, line 10.

Following: "5-5-202,"
Strike: "5-5-211,"

4. Title, line 11.
Following: "MCA"
Insert: "; AND PROVIDING AN EFFECTIVE DATE"

5. Page 1, line 16.
Following: "approximately"
Strike: "7,000"
Insert: "14,000"

6. Page 2, lines 22 through 23.
Following: "activity of"
Strike: "house appropriations and senate finance and claims"
Insert: "finance"

7. Page 3, lines 13 through 17.
Following: line 12
Strike: subsection (2) in its entirety
Insert: "(2) Interim committees shall meet at the call of the committee chairman subject to the following limitations:

(a) A committee assigned an interim study may not meet more than six times in one year.

(b) A committee not assigned an interim study may not meet more than two times in a year.

(c) No meeting may exceed 2 days.

(d) Limitations set forth in this subsection can be exceeded with permission of the speaker of the house and the president of the senate.

8. Page 4, line 6 through line 7 on page 5.
Strike: section 4 in its entirety
Renumber: subsequent sections

9. Page 8.
Following: line 26
Insert: "Section 9. Effective date. This act is effective on adjournment of the regular session of the 46th legislature."

And as amended, do pass. (82-13)

That HB 823, introduced bill, be amended as follows: (65-15)

1. Page 2, line 1.
Following: "than"
Strike: "100"
Insert: "500"

2. Page 2, line 20.
Following: "utility"
Insert: "as limited by 69-4-316 (2) (f)"

3. Page 4, line 23.
Following: "the"
Insert: "public utility is entitled to amounts sufficient to repay it for the"

4. Page 4, line 25.
Following: "following"

Strike: "costs"
Insert: ", except as this determination may be affected by 69-4-316 (2) (f)"

5. Page 5, lines 7 and 8.
Following: "utility"
Strike: ", shall be included in the cost and feasibility report"

6. Page 6, line 11.
Following: "utility"
Insert: "as limited by 69-4-316 (2) (f)"

7. Page 7, line 1.
Following: "hearing"
Insert: "limitation of utility costs"

8. Page 8, lines 4 through 8.
Following: "utility"
Strike: the remainder of subsection (2) (f)
Insert: "only if the utility will receive increased revenues from new services installed within 1 year's conversion and only to the extent of one year's revenue from the date of installation of the new service or services. The amount of conversion cost to be borne by the utility under this subsection shall be determined by negotiation between the utility and the special improvement district in accordance with the tariffs of the utility on file with the PSC."

9. Page 8, line 24.
Following: "utility"
Insert: "as limited by 69-4-316 (2) (f)"

10. Page 10, line 15.
Following: "cost"
Insert: "as determined under 69-4-316 (2) (f)"

11. Page 10, line 20 through line 17 on page 13.
Strike: sections 9, 10 and 11 in their entirety

And as amended, do pass. Motion failed. (45-48)

That HB 823, as amended, do not pass. (52-44)

That HB 788 do pass. (89-1)

Tropila moved that the Committee of the Whole Report be deemed read. Motion carried.

That the Committee rise and report and beg leave to sit again. (Tropila, Chairman). Report adopted. (89-1)

House recessed at 1:37 a.m.

House reconvened at 10:00 a.m.

Brand, O'Connell present at this time.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 76 was passed by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bertelsen, Conroy, Cooney, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst,

Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Marks, Metcalf, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 76

Noes: Baeth, Brand, Manning, Smith.
Total 4

Excused: Seifert.
Total 1

Absent or not voting: Bennett, Burnett, Curtiss, Daily, Dassinger, Eudaily, Fagg, Johnson, Kvaalen, Manuel, Menahan, Meyer, Oberg, Porter, Roth, Sivertsen, Thoft, Underdal, Waldron.
Total 19

House Bill No. 191 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 84

Noes: Burnett, Jensen, Pistoria, Smith, Stobie.
Total 5

Excused: Seifert.
Total 1

Absent or not voting: Bennett, Dassinger, Fagg, Johnson, Keyser, Meyer, Porter, K. Robbins, Sivertsen, Waldron.
Total 10

House Bill No. 244 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: Burnett.
Total 1

Excused: Seifert.
Total 1

Absent or not voting: Fagg, Johnson, Meyer, Waldron.
Total 4

House Bill No. 295 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Manuel, Marks, Menahan, Moore, Nathe, Nordtvedt, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 73

Noes: Azzara, Brand, Cooney, Dozier, Dussault, Harper, Holmes, Johnston, Kemmis, McBride, Magone, Manning, Metcalf, Oberg, O'Connell, Reichert, Rosenthal, Smith, Underdal, Vincent, Waldron.
Total 21

Excused: Seifert.
Total 1

Absent or not voting: Fagg, Frates, Meyer, K. Robbins, Stobie.
Total 5

House Bill No. 298 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Burnett, Ellerd, Ellison, Hayne, Smith.
Total 5

Excused: Seifert.
Total 1

Absent or not voting: Bertelsen, Fagg, Meyer, K. Robbins, Stobie.
Total 5

House Bill No. 403 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega,

Fagg, Feda, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 90

Noes: Burnett, Hand, Johnson, Keyser, Nordtvedt, Wyrick.
Total 6

Excused: Seifert.
Total 1

Absent or not voting: Keedy, Meyer, Sales.
Total 3

House Bill No. 408 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Seifert.
Total 1

Absent or not voting: Meyer.
Total 1

House Bill No. 437 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 98

Noes: None.

Total 0

Excused: Seifert.
Total 1

Absent or not voting: Meyer.
Total 1

House Bill No. 453 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Burnett, Dassinger, Day, Ellis, Ellison, Eudaily, Fagg, Frates, Gesek, Gilligan, Gould, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kessler, Keyser, Kropp, Kvaalen, Lory, McBride, Manuel, Marks, Moore, Nordtvedt, Oberg, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Scully, Shelden, Sivertsen, South, Stobie, Thoft, Tropila, Uhde, Underdal, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 54

Noes: Azzara, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Donaldson, Dozier, Dussault, Ellerd, Ernst, Fabrega, Feda, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Johnston, Kanduch, Keedy, Kemmis, Lien, Lund, Magone, Manning, Menahan, Metcalf, Nathe, O'Connell, Pavlovich, K. Robbins, Rosenthal, Roth, Sales, Schultz, Smith, Spilker, Staigmiller, Teague, Vincent, Vinger.
Total 44

Excused: Seifert.
Total 1

Absent or not voting: Meyer.
Total 1

House Bill No. 460 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Seifert.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 480 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day,

Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley.
Total 97

Noes: Wood, Mr. Speaker.
Total 2

Excused: Seifert.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 558 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Magone, Roth, Sales, Stobie.
Total 4

Excused: Seifert.
Total 1

Absent or not voting: Ellerd, Wood.
Total 2

House Bill No. 649 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Yardley, Mr. Speaker.
Total 81

Noes: Bennett, Bertelsen, Burnett, Ellerd, Ellison, Hayne, Hurwitz, Kanduch, Kvaalen, Nordtvedt, Sales, Smith, Staigmiller, Stobie, Underdal, Wood, Wyrick.

Total 17

Excused: Seifert.
Total 1

Absent or not voting: Eudaily.
Total 1

House Bill No. 655 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 85

Noes: Burnett, Cooney, Hayne, Hemstad, Iverson, Jensen, Keyser, Magone, Marks, Porter, Roth, Smith, Spilker.
Total 13

Excused: Seifert.
Total 1

Absent or not voting: Wyrick.
Total 1

House Bill No. 661 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Brand, Burnett, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Schultz, Shelden, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 87

Noes: Bennett, Bertelsen, Curtiss, Kvaalen, K. Robbins, Sales, Scully, Sivertsen, Smith, Stobie.
Total 10

Excused: Seifert.
Total 1

Absent or not voting: Ellis, Ellison.
Total 2

House Bill No. 695 failed to pass by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Brand, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Frates, Gesek, Gilligan, Harper, Harrington, Holmes, Huennekens, Johnson, Kanduch, Kemmis, Kessler, McBride, Magone,

Manning, Manuel, Menahan, Metcalf, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, Rosenthal, Scully, Shelden, Tropila, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 43

Noes: Anderson, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hand, Hayne, Hemstad, Hirsch, Hurwitz, Iverson, Jensen, Johnston, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Marks, Meyer, Moore, Nathe, Nordtvedt, Porter, Ramirez, H. Robbins, K. Robbins, Roth, Sales, Schultz, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Underdal, Vinger, Wood, Wyrick.
Total 55

Excused: Seifert.
Total 1

Absent or not voting: Keedy.
Total 1

House Bill No. 701 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lory, McBride, Magone, Manning, Menahan, Metcalf, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Scully, Shelden, South, Spilker, Staigmiller, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 64

Noes: Bengtson, Brand, Conroy, Ellerd, Fabrega, Fagg, Feda, Hand, Hayne, Hemstad, Iverson, Jensen, Johnston, Kropp, Lien, Lund, Manuel, Marks, Meyer, Moore, Nathe, Nordtvedt, Porter, H. Robbins, Roth, Sales, Schultz, Sivertsen, Smith, Stobie, Thoft, Underdal, Vinger, Wood, Wyrick.
Total 35

Excused: Seifert.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 717 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley.
Total 96

Noes: None.

Total 0

Excused: Seifert.
Total 1

Absent or not voting: Bertelsen, Quilici, Mr. Speaker.
Total 3

House Bill No. 732 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bertelsen, Brand, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Moore, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, South, Teague, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 71

Noes: Bengtson, Bennett, Burnett, Curtiss, Ellerd, Ellison, Ernst, Feda, Hand, Hayne, Hurwitz, Keyser, Kvaalen, Lund, Marks, Meyer, Nathe, Nordtvedt, K. Robbins, Roth, Smith, Spilker, Staigmiller, Stobie, Underdal, Vinger, Wood, Wyrick.
Total 28

Excused: Seifert.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 749 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Seifert.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 751 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson,

Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: Hemstad, Stobie.
Total 2

Excused: Seifert.
Total 1

Absent or not voting: Bertelsen, Sales, Wood.
Total 3

House Bill No. 759 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Manning, Manuel, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 83

Noes: Curtiss, Ellerd, Hayne, Iverson, Kanduch, Keyser, Magone, Marks, Menahan, Roth, Smith, Stobie, Thoft, Underdal.
Total 14

Excused: Seifert.
Total 1

Absent or not voting: Ellison, Wood.
Total 2

House Bill No. 767 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, Oberg, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Day, Frates, Harper, Huennekens, Metcalf, O'Connell.
Total 6

Excused: Seifert.
Total 1

Absent or not voting: Wood.
Total 1

House Bill No. 774 was passed by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Holmes, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, Roth, Sales, Schultz, Scully, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vinger, Williams, Wyrick, Yardley, Mr. Speaker.
Total 73

Noes: Azzara, Bardanouve, Cooney, Dozier, Dussault, Gesek, Harper, Hirsch, Huennekens, Johnson, Keedy, Kemmis, Kessler, McBride, Metcalf, Nordtvedt, Oberg, Reichert, K. Robbins, Rosenthal, Shelden, South, Uhde, Vincent, Waldron.
Total 25

Excused: Seifert.
Total 1

Absent or not voting: Wood.
Total 1

House Bill No. 775 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: Huennekens, Waldron.
Total 2

Excused: Seifert.
Total 1

Absent or not voting: Wood.
Total 1

House Bill No. 803 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day,

Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: Smith.
Total 1

Excused: Seifert.
Total 1

Absent or not voting: Hurwitz, Wood.
Total 2

House Bill No. 805 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Seifert.
Total 1

Absent or not voting: Underdal, Wood.
Total 2

House Bill No. 815 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Brand, Ellis, Frates, Manning, Spilker.
Total 5

Excused: Seifert.
Total 1

Absent or not voting: O'Connell.
Total 1

House Bill No. 816 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Nathe, Nordtvedt, Oberg, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Schultz, Shelden, Sivertsen, South, Spilker, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 66

Noes: Bennett, Burnett, Conroy, Curtiss, Donaldson, Ellerd, Ellison, Fabrega, Hand, Hayne, Hemstad, Iverson, Johnston, Keyser, Marks, Meyer, Moore, O'Connell, Pavlovich, Pistoria, K. Robbins, Sales, Scully, Smith, Staigmiller, Stobie, Thoft, Underdal, Vinger, Wood, Wyrick.
Total 31

Excused: Seifert.
Total 1

Absent or not voting: Ellis, Roth.
Total 2

House Bill No. 819 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Seifert.
Total 1

Absent or not voting: Bennett, Burnett, Hand, Underdal.
Total 4

House Bill No. 820 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day,

Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley.
Total 98

Noes: Mr. Speaker.
Total 1

Excused: Seifert.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 825 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Seifert.
Total 1

Absent or not voting: Fabrega.
Total 1

House Bill No. 833 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Johnson, Johnston, Keedy, Kemmis, Kessler, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 78

Noes: Bennett, Burnett, Conroy, Ellerd, Ernst, Hayne, Hurwitz, Jensen, Kanduch, Keyser, Kropp, Kvaalen, Marks, Moore, Pistoria, K. Robbins, Roth, Smith, Thoft, Wyrick.

Total 20

Excused: Seifert.
Total 1

Absent or not voting: Ellison.
Total 1

House Bill No. 836 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 93

Noes: Bardanouve, Hemstad, Keedy, Kemmis, Reichert, Yardley.
Total 6

Excused: Seifert.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 840 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Shelden, South, Spilker, Staigmiller, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 83

Noes: Bengtson, Burnett, Ellerd, Feda, Gould, Hand, Hayne, Lien, Sales, Sivertsen, Smith, Stobie, Thoft, Underdal, Vinger, Wyrick.
Total 16

Excused: Seifert.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 842 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega,

Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: Hemstad, Johnston, Smith.
Total 3

Excused: Seifert.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 845 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Ellerd, Ellison, Lien, Nordtvedt, Pistoria, Sales, Smith, Stobie.
Total 8

Excused: Seifert.
Total 1

Absent or not voting: Meyer.
Total 1

House Bill No. 847 was passed by the following vote:

Ayes: Anderson, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harrington, Hayne, Hemstad, Hirsch, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Meyer, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Spilker, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 81

Noes: Azzara, Baeth, Bardanouve, Brand, Gould, Harper, Holmes, Huennekens, Hurwitz, Metcalf, Moore, Oberg, Smith, South, Staigmiller, Stobie, Yardley.

Total 17

Excused: Seifert.
Total 1

Absent or not voting: Burnett.
Total 1

MOTIONS

Schultz moved that he be allowed to change his vote on HB 649 on Third Reading this day from nay to aye. Motion carried unanimously.

Fagg moved that the rules be temporarily suspended to allow the names of Dussault, Gerke, Ramirez, Sivertsen as sponsors on HJR 46 and HB 837. Motion carried.

Cooney moved that he be allowed to change his vote on HB 453 on Third Reading this day from aye to nay. Motion carried unanimously.

Keyser moved that he be allowed to change his vote on HB 732 on Third Reading this day from aye to nay. Motion carried unanimously.

Fabrega moved that he be allowed to change his vote on HB 819 on Third Reading this day from nay to aye, and to record his vote on HB 833 on Third Reading this day from absent to aye. Motion carried unanimously.

Underdal moved that HB 177 be taken from the Committee on Labor and Employment Relations and put on Second Reading this day. After some discussion, the motion carried. (53-43)

Eudaily moved that the record show him voting aye on the following bills on Third Reading this day instead of absent: HB 191, HB 244, HB 295. Motion carried unanimously.

Moore moved that the record show him voting aye on the following bills on Third Reading this day instead of absent: HB 67, HB 191. Motion carried unanimously.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Tropila in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 43, second reading copy, be amended as follows: (59-15)

1. Page 1, line 18.
Following: "interest."
Insert: "The governing body may disapprove any subdivision which it finds not to be in the public interest."

2. Page 3, line 3.
Following: "wildlife,"
Strike: "AGRICULTURAL"
Insert: "agriculture"

That Committee of the Whole Amendment, dated 2/22/79, on House Bill No. 43, sponsored by Moore, be amended as follows: (78-5)

1. Amendment 1, line 1 of insertion paragraph.
Strike: "may"
Insert: "shall"

And as amended, do pass. (47-42)

That HB 105, introduced bill, be amended as follows: (61-21)

1. Page 1, line 19 through 4 on page 2.
Following: "with"
Strike: ";" on line 19 through line 4 on page 2 in its entirety

2. Page 2, line 5.
Strike: "(iii) the requirement"
Insert: "(b) require"

3. Page 2, line 25 through line 3 on page 3.
Following: "(ii)"
Strike: remainder of line 25 through line 3 on page 3 in its entirety
Insert: "highway safety program standard program 17, pupil transportation safety, issued by the national highway traffic safety administration;"

4. Page 3, line 9.
Following: "of"
Strike: "subsections"

5. Page 3, line 10.
Following: "(a)"
Strike: "(i) and (ii)"

6. Page 3, line 18.
Following: "than"
Strike: "8 pupils"
Insert: "10 persons"

And as amended, do pass. Motion failed. (33-56)

That HB 105, as amended, do not pass. (63-31)

That HB 436, introduced bill, be amended as follows: (88-6)

1. Title, line 7.
Following: line 6
Strike: "PREPARATION"
Following: "PRINTING"
Strike: ","

2. Title, lines 8 through 10.
Following: "MATTER"
Strike: remainder of line 8 through "LEGISLATURE" on line 10

3. Page 1, lines 15 through 18.
Strike: lines 15 through 18 in their entirety
Insert: "SECTION 2. THERE IS A NEW MCA SECTION THAT READS:

Definition. (1) The term 'public documents' as used herein includes all books, booklets, magazines, pamphlets, flyers, newsletters, brochures, Christmas cards, and leaflets prepared by the state.

(2) The term 'agency' as used herein includes each state office, department, board, commission, council, committee, unit of the university system, or other entity or instrumentality of the executive branch, office of the executive branch, or office of the judicial branch of state government.

(3) The term 'department' as used herein means the department of administration provided for in Title 2, chapter 15, part 10."

4. Page 1, line 20.
Following: "department"
Strike: "of administration"

5. Page 1, lines 23 through 25.
Following: "each"
Strike: "department, board, commission,"
Following: "agency"
Strike: ", official, employee, or other entity of the executive branch"

6. Page 2, line 5.
Following: "page"
Strike: ","

7. Page 2, lines 9 through 11.
Following: "No"
Strike: "department, board, commission,"
Following: "agency"
Strike: ", official, employee, or other entity of the executive branch"

8. Page 2, lines 15 through 17.
Following: "any"
Strike: "department, board, commission,"
Following: "agency"
Strike: ", official, employee, or other entity of the executive branch"
Following: "of"
Insert: "state"

9. Page 2, line 19.
Following: "the"
Insert: "exterior cover of the"

10. Page 2, lines 19 and 20.
Following: "publication"
Strike: "adjacent to the identification of the agency responsible for publication"

11. Page 2, line 21.
Following: "at"
Strike: "a"
Insert: "an estimated"

12. Page 2, line 22.
Following: "includes"
Strike: "$... for preparation,"

13. Page 2, line 23.
Following: "printing"
Strike: ","
Following: "and"
Strike: "an estimated"

14. Page 3, line 6.
Following: "7."

Strike: "Computation"
Insert: "Estimation"

15. Page 3, line 7.
Following: "in"
Strike: "computing"
Insert: "estimating"

16. Page 3, lines 8 through 10.
Following: line 7
Strike: subsection (1) in its entirety
Renumber: subsequent subsections

17. Page 3, line 12.
Following: line 11
Strike: "reproduction"
Insert: "production"

18. Page 3, line 16 through line 7 on page 4.
Strike: sections 8 and 9 in their entirety

And as amended, do pass. (62-34)

That HB 559, introduced bill, be amended as follows: (83-3)

1. Title, line 6.
Following: "THAT"
Insert: "UP TO"

2. Page 2, line 15.
Following: "treasurer"
Insert: ", and the board of county commissioners shall appropriate up to and including 25% of the fees"

3. Page 2, line 16.
Following: line 15
Strike: "to be credited"
Following: "account"
Strike: "and shall be"
Insert: "to be"

And as amended, do pass. (63-25)

That HB 614, introduced bill, be amended as follows: (63-25)

1. Title, lines 6 and 7.
Following: "EARNINGS"
Strike: "IN THE PREVIOUS FISCAL YEAR"

2. Page 4, line 15.
Following: "in the"
Strike: "previous fiscal year on an account"
Insert: "last reporting fiscal year"

And as amended, do pass. Motion failed. (18-74)

That HB 614, as amended, do not pass. (74-10)

That HB 684 do pass. (46-44)

That HB 685, introduced bill, be amended as follows: (81-5)

1. Title, line 5.
Strike: "THE TRAFFIC EDUCATION ACCOUNT AND"

2. Title, lines 6 and 7.
Strike: "SECTIONS 20-7-504, 20-7-505, AND"
Insert: "SECTION"

3. Page 1, line 10 through line 2 on page 3.
Strike: sections 1 and 2 in their entirety
Renumber: subsequent section

That HB 685, introduced bill, be further amended as follows: (56-27)

1. Title, line 6.
Following: "20-7-504"
Strike: ","
Insert: "AND"

2. Title, line 7.
Following: "20-7-505,"
Strike: "AND 53-9-109,"

3. Page 3, lines 3 through 10.
Strike: section 3 in its entirety

And as amended, do not pass. (66-21)

That HB 700, introduced bill, be amended as follows: (78-7)

1. Page 3, line 21.
Following: "names"
Insert: "and address"

2. Page 4, lines 13 and 14.
Following: "shall"
Strike: ", upon request of any legislator or state agency, retrieve and"

And as amended, do pass. Motion failed. (37-53)

That HB 700, as amended, do not pass. (54-41)

That HB 715, introduced bill, be amended as follows: (86-1)

1. Title, line 7.
Following: "(EPA)"
Insert: ", WITH CERTAIN EXCEPTIONS"

2. Page 1, line 17.
Following: "(EPA)"
Insert: ", except that the board may adopt a more stringent standard for a substance having an EPA ambient air quality standard after conducting an assessment pursuant to subsection (3)"

3. Page 2, line 4.
Following: "industries"
Insert: "and the availability of such control equipment"

4. Page 2, line 7.
Following: "economic,"
Insert: "health,"

And as amended, do pass. Motion failed. (41-55)

That HB 715, as amended, do not pass. (58-41)

That HB 731 do pass. (55-33)

Tropila moved that the Committee of the Whole Report be deemed read. Motion carried.

That the Committee rise and report and beg leave to sit again. (Tropila, Chairman). Report adopted. (81-6)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 81 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Gould.
Total 1

Excused: Seifert.
Total 1

Absent or not voting: Bardanouve, Hand, Harrington, Nordtvedt, Spilker, Stobie.
Total 6

House Bill No. 392 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Seifert.
Total 1

Absent or not voting: Fabrega, Nordtvedt, Spilker.
Total 3

House Bill No. 571 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Kanduch, Keedy, Kemmis, Kessler, Kropp, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Scully, Shelden, Sivertsen, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Williams, Wyrick, Yardley, Mr. Speaker.
Total 78

Noes: Bardanouve, Curtiss, Harper, Hayne, Johnson, Johnston, Keyser, Kvaalen, Lund, Oberg, Roth, Sales, Smith, South, Staigmiller, Vinger, Waldron, Wood.
Total 18

Excused: Seifert.
Total 1

Absent or not voting: Fabrega, Nordtvedt, Spilker.
Total 3

House Bill No. 575 was passed by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gould, Hand, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Kropp, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pistoria, Porter, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Thoft, Uhde, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 74

Noes: Anderson, Bennett, Daily, Dozier, Ellerd, Ellison, Harper, Hayne, Hurwitz, Johnston, Keyser, Kvaalen, Lund, Nathe, Pavlovich, Quilici, K. Robbins, Sales, Smith, Stobie, Teague, Tropila, Underdal, Vinger.
Total 24

Excused: Seifert.
Total 1

Absent or not voting: Gilligan.
Total 1

House Bill No. 606 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 87

Noes: Bardanouve, Day, Ernst, Huennekens, Keyser, Kvaalen, Nathe, K. Robbins, Roth, Smith, South, Stobie.
Total 12

Excused: Seifert.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 617 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Keedy, Kemmis, Kessler, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Schultz, Scully, Shelden, South, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 64

Noes: Burnett, Conroy, Curtiss, Ellerd, Ellison, Ernst, Feda, Gould, Hand, Hayne, Hurwitz, Iverson, Jensen, Johnson, Keyser, Kropp, Kvaalen, Lund, Marks, Nathe, Porter, K. Robbins, Roth, Sales, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Thoft, Underdal, Vinger, Wood, Wyrick.
Total 34

Excused: Seifert.
Total 1

Absent or not voting: O'Connell.
Total 1

House Bill No. 624 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Dozier, Johnston, Kemmis, Oberg, Staigmiller, Uhde.
Total 6

Excused: Seifert.
Total 1

Absent or not voting: Fagg, Lund.
Total 2

House Bill No. 635 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault,

Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Bardanouve, Bennett, Day, Manuel, Nathe, Smith, Stobie, Uhde, Waldron.
Total 9

Excused: Seifert.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 694 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley.
Total 97

Noes: Azzara.
Total 1

Excused: Seifert.
Total 1

Absent or not voting: Mr. Speaker.
Total 1

House Bill No. 716 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Keedy, Kemmis, Kessler, Kropp, Lory, Lund, McBride, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Schultz, Scully, Shelden, South, Spilker, Teague, Tropila, Uhde, Vincent, Vinger, Waldron, Wood, Yardley, Mr. Speaker.
Total 73

Noes: Burnett, Curtiss, Ellerd, Hand, Hayne, Hurwitz, Johnston, Kanduch, Keyser, Kvaalen, Lien, Magone, Pistoria, K. Robbins, Roth,

Sales, Sivertsen, Smith, Staigmiller, Stobie, Thoft, Underdal, Williams, Wyrick.
Total 24

Excused: Seifert.
Total 1

Absent or not voting: Ellison, O'Connell.
Total 2

House Bill No. 802 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: Ellis, Magone, H. Robbins.
Total 3

Excused: Seifert.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 850 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nordtvedt, Oberg, O'Connell, Pavlovich, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Schultz, Scully, Shelden, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 83

Noes: Bengtson, Bennett, Brand, Ellerd, Hayne, Kvaalen, Moore, Nathe, Pistoria, Porter, H. Robbins, Sales, Sivertsen, Smith, Stobie, Yardley.
Total 16

Excused: Seifert.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 856 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault,

Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, South, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley.
Total 87

Noes: Burnett, Conroy, Hand, Jensen, Porter, Roth, Smith, Staigmiller, Vinger, Mr. Speaker.
Total 10

Excused: Seifert.
Total 1

Absent or not voting: Donaldson, Spilker.
Total 2

House Bill No. 860 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Frates, Johnson, Keedy, Kemmis, Sivertsen, Smith.
Total 6

Excused: Seifert.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 861 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Kemmis, Keyser, Kropp, Kvaalen, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 90

Noes: Johnson, Keedy, Kessler, Lien, Oberg, Smith, Vinger, Yardley.
Total 8

Excused: Seifert.
Total 1

Absent or not voting: Reichert.
Total 1

House Bill No. 863 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 98

Noes: Stobie.
Total 1

Excused: Seifert.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 875 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Scully, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 82

Noes: Bennett, Brand, Ellis, Ellison, Frates, Harper, Holmes, Jensen, Johnson, Kvaalen, McBride, Metcalf, Roth, Sales, Shelden, Smith, Thoft.
Total 17

Excused: Seifert.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 877 was passed by the following vote:

Ayes: Anderson, Brand, Burnett, Conroy, Curtiss, Daily, Dassinger, Day, Ellerd, Ellison, Ernst, Fabrega, Fagg, Feda, Gilligan, Gould, Hand, Hayne,

Hemstad, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Keyser, Kropp, Kvaalen, Lien, Manuel, Menahan, Meyer, Moore, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, H. Robbins, K. Robbins, Roth, Sales, Schultz, Smith, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vinger, Williams, Wood, Wyrick.
Total 56

Noes: Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Cooney, Donaldson, Dozier, Dussault, Ellis, Eudaily, Frates, Gesek, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnson, Kemmis, Kessler, Lory, Lund, McBride, Magone, Manning, Marks, Metcalf, Nathe, Oberg, Ramirez, Reichert, Rosenthal, Scully, Shelden, Sivertsen, South, Spilker, Vincent, Waldron, Yardley, Mr. Speaker.
Total 43

Excused: Seifert.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 879 was passed by the following vote:

Ayes: Bengtson, Burnett, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gilligan, Gould, Hand, Hayne, Hemstad, Hirsch, Huennekens, Iverson, Jensen, Johnston, Keyser, Kropp, Lien, Lund, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Schultz, Scully, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Vinger, Wood, Wyrick, Mr. Speaker.
Total 59

Noes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Cooney, Dussault, Frates, Gesek, Harper, Harrington, Holmes, Hurwitz, Johnson, Kanduch, Keedy, Kemmis, Kessler, Kvaalen, Lory, McBride, Magone, Metcalf, Oberg, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Shelden, Uhde, Underdal, Vincent, Waldron, Williams, Yardley.
Total 39

Excused: Seifert.
Total 1

Absent or not voting: Ramirez.
Total 1

House Bill No. 887 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: Conroy, Johnson, Staigmiller.
Total 3

Excused: Seifert.
Total 1

Absent or not voting: Keedy, Kemmis.
Total 2

House Bill No. 691 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Moore, Oberg, O'Connell, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Shelden, Sivertsen, South, Spilker, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 72

Noes: Brand, Burnett, Conroy, Curtiss, Ellerd, Ernst, Fagg, Iverson, Jensen, Keedy, Kropp, Kvaalen, Marks, Meyer, Nathe, Nordtvedt, Porter, Roth, Sales, Scully, Smith, Staigmiller, Stobie, Thoft.
Total 24

Excused: Seifert.
Total 1

Absent or not voting: Hayne, Hurwitz, Pavlovich.
Total 3

House Bill No. 766 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Seifert.
Total 1

Absent or not voting: Day, Ellison, Hurwitz.
Total 3

House Bill No. 785 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily,

Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 81

Noes: Bennett, Bertelsen, Brand, Burnett, Conroy, Curtiss, Ellerd, Hand, Jensen, Kropp, Marks, K. Robbins, Smith, Staigmiller, Stobie, Vinger, Wyrick.
Total 17

Excused: Seifert.
Total 1

Absent or not voting: Hurwitz.
Total 1

House Bill No. 817 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Hand, Hayne, Hemstad, Holmes, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Schultz, Shelden, Spilker, Stobie, Tropila, Underdal, Vincent, Vinger, Williams, Yardley, Mr. Speaker.
Total 66

Noes: Burnett, Curtiss, Ellis, Ellison, Gesek, Gould, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Iverson, Johnson, Keyser, Kvaalen, Marks, Moore, Nordtvedt, Pistoria, K. Robbins, Roth, Sales, Scully, Sivertsen, Smith, South, Staigmiller, Teague, Thoft, Uhde, Waldron, Wood, Wyrick.
Total 33

Excused: Seifert.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 827 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: Burnett, Sales.
Total 2

Excused: Seifert.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 851 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Burnett, Ellerd, Gould, Johnson, Pavlovich, Roth, Smith.
Total 7

Excused: Seifert.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 859 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 98

Noes: Burnett.
Total 1

Excused: Seifert.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 864 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day,

Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Seifert.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 881 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Holmes, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Shelden, Sivertsen, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vinger, Williams, Wood, Wyrick.
Total 76

Noes: Bennett, Curtiss, Dussault, Ellis, Harper, Hirsch, Huennekens, Johnson, Keyser, Nordtvedt, Oberg, Pistoria, Sales, Scully, Smith, South, Spilker, Uhde, Vincent, Waldron, Yardley, Mr. Speaker.
Total 22

Excused: Seifert.
Total 1

Absent or not voting: Ellison.
Total 1

House Bill No. 882 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bertelsen, Brand, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 76

Noes: Bennett, Burnett, Conroy, Curtiss, Ellerd, Feda, Hand, Hayne, Iverson, Kropp, Manuel, O'Connell, Pistoria, Roth, Schultz, Scully, Smith, Stobie, Thoft, Vinger, Wood, Wyrick.
Total 22

Excused: Seifert.
Total 1

Absent or not voting: Bardanouve.
Total 1

House Bill No. 883 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: Burnett, Marks.
Total 2

Excused: Seifert.
Total 1

Absent or not voting: Stobie, Wood.
Total 2

House Bill No. 886 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: Frates.
Total 1

Excused: Seifert.
Total 1

Absent or not voting: Stobie.
Total 1

House Joint Resolution No. 6 was passed by the following vote:

Ayes: Anderson, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Gesek, Gilligan, Gould, Hand, Hayne, Hemstad, Hurwitz, Iverson, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, K. Robbins, Sales, Schultz, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vinger, Williams, Wood, Wyrick.
Total 64

Noes: Azzara, Baeth, Bardanouve, Brand, Cooney, Dozier, Dussault, Ellis, Fagg, Frates, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnson, Keedy, Kemmis, Kessler, McBride, Metcalf, Oberg, Reichert, H. Robbins, Rosenthal, Scully, Shelden, South, Uhde, Vincent, Waldron, Yardley, Mr. Speaker.
Total 34

Excused: Seifert.
Total 1

Absent or not voting: Roth.
Total 1

House Joint Resolution No. 11 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Burnett, Ellerd, Hurwitz, Kvaalen, Roth, Sales, Smith.
Total 7

Excused: Seifert.
Total 1

Absent or not voting: None.
Total 0

House Joint Resolution No. 14 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Holmes, Hurwitz, Iverson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 85

Noes: Cooney, Frates, Harper, Hirsch, Huennekens, Jensen, Johnson, Lien, Lory, Smith, South, Staigmiller, Yardley.
Total 13

Excused: Seifert.
Total 1

Absent or not voting: Nordtvedt.
Total 1

House Joint Resolution No. 34 was passed by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Bennett, Lory, Nordtvedt, Roth.
Total 4

Excused: Seifert.
Total 1

Absent or not voting: Anderson, Dassinger, Lund, Spilker.
Total 4

House Joint Resolution No. 36 was passed by the following vote:

Ayes: Anderson, Baeth, Bengtson, Burnett, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Ellerd, Ellison, Fabrega, Fagg, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lund, Manuel, Marks, Meyer, Moore, Nathe, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Scully, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vinger, Waldron, Mr. Speaker.
Total 63

Noes: Azzara, Bardanouve, Bennett, Bertelsen, Brand, Dassinger, Dozier, Dussault, Ellis, Ernst, Eudaily, Feda, Frates, Harper, Hirsch, Holmes, Keedy, Lory, McBride, Magone, Manning, Menahan, Metcalf, Nordtvedt, Oberg, Sales, Shelden, Sivertsen, Smith, South, Vincent, Williams, Wood, Wyrick, Yardley.
Total 35

Excused: Seifert.
Total 1

Absent or not voting: Schultz.
Total 1

House Joint Resolution No. 37 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis,

Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 87

Noes: Bennett, Burnett, Conroy, Ellerd, Ellison, Moore, Sales, Smith, Staigmiller, Vinger, Wood, Wyrick.
Total 12

Excused: Seifert.
Total 1

Absent or not voting: None.
Total 0

House Joint Resolution No. 41 was passed by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 85

Noes: Burnett, Ellerd, Eudaily, Hemstad, Hurwitz, Kvaalen, Lory, Moore, Smith, Stobie, Wood.
Total 11

Excused: Seifert.
Total 1

Absent or not voting: Anderson, Donaldson, Spilker.
Total 3

House Joint Resolution No. 43 was passed by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Ellis, Frates, Gesek, Harper, Johnson, Lory, Shelden.
Total 7

Excused: Seifert.
Total 1

Absent or not voting: Anderson, Spilker.
Total 2

House Joint Resolution No. 45 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: Lory, Sales, Wood.
Total 3

Excused: Seifert.
Total 1

Absent or not voting: Donaldson, Porter.
Total 2

House Joint Resolution No. 48 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Seifert.
Total 1

Absent or not voting: Ellison, Hurwitz.
Total 2

House Joint Resolution No. 49 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Cooney, Daily Dassinger, Day, Donaldson, Dussault, Ellis, Ellison, Ernst, Eudaily

Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kessler, Keyser, Kvaalen, Lory, Lund, McBride, Magone, Manning, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Mr. Speaker.
Total 78

Noes: Bennett, Brand, Burnett, Conroy, Curtiss, Dozier, Ellerd, Frates, Harper, Hurwitz, Kemmis, Kropp, Lien, Manuel, Moore, Sales, Staigmiller, Waldron, Wyrick, Yardley.
Total 20

Excused: Seifert.
Total 1

Absent or not voting: Bertelsen.
Total 1

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Tropila in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 781, introduced bill, be amended as follows: (64-2)

1. Page 2, line 7.
Following: "July 1,"
Strike: "1979"
Insert: "1976"

And as amended, do pass. (78-3)

That HB 792, introduced bill, be amended as follows: (60-14)

1. Page 1, line 12.
Following: line 11
Strike: "overriding royalty"
Insert: "annual"

2. Page 1, lines 19 and 20.
Following: "owner"
Strike: "an overriding royalty of 2 ½ % of production from each such well or other equivalent"
Insert: "annual"

3. Page 1, line 21.
Following: "compensation"
Insert: "by negotiation"

4. Page 2.
Following: line 7

Insert: "SECTION 4. THERE IS A NEW MCA SECTION THAT READS:

Grandfather clause. [This act] does not apply to any settlement or contract concluded before [the effective date of this act].

SECTION 5. THERE IS A NEW MCA SECTION THAT READS:

Nonapplicability. In the event a lump sum settlement is arrived at between the oil company and the surface owner, [this act] does not apply."
Renumber: subsequent section

And as amended, do pass. Motion failed. (38-59)

That HB 792, as amended, do not pass. (63-29)

That HB 809 do pass. Motion failed. (44-50)

That HB 809 do not pass. (50-42)

That HB 832, introduced bill, be amended as follows: (76-10)

1. Title, line 6.
Following: "CUSTOMERS"
Insert: FOR THE FIRST 200 KILOWATT HOURS USED PER MONTH OR EQUIVALENT"

2. Page 1, line 13.
Following: "customers"
Insert: "for the first 200 kilowatt hours used per month or equivalent"

And as amended, do pass. Motion failed. (39-57)

That HB 832, as amended, do not pass. (56-38)

That HB 865, introduced bill, be amended as follows: (68-2)

1. Title, lines 5 and 6.
Following: "SENTENCES"
Strike: "THAT MAY NOT BE DEFERRED OR SUSPENDED EXCEPT UNDER LIMITED CIRCUMSTANCES"

2. Title, lines 7 through 10.
Following: "CHILDREN;"
Strike: remainder of line 7 through "SENTENCE;" on line 10

3. Title, line 11.
Following: "45-5-502"
Strike: ","
Insert: "AND"

4. Title, lines 11 and 12.
Following: "45-5-503"
Strike: "45-5-505, 46-18-201, 46-18-202, 46-18-222, 46-23-201, AND 46-23-411,"

5. Page 2, line 7.
Following: "than"
Strike: "10"
Insert: "2"

6. Page 2, line 8.

Following: "than"
Strike: "40"
Insert: "20"
Following: "46-18-222."
Insert: "On a second or subsequent offense, the offender shall be imprisoned in the state prison for a term of not less than 10 years or more than 40."

7. Page 3, line 12.
Following: line 11
Strike: "20"
Insert: "10"
Following: "than"
Strike: "80"
Insert: "40"

8. Page 4, line 10 through line 16 on page 11.
Strike: sections 3 through 8 in their entirety

And as amended, do pass. (72-5)

That HB 481 do pass. (56-44)

That HB 623 do pass. (64-27)

That HB 54 be placed below HB 177.

That HB 177 do pass. Motion failed. (49-49)

That HB 177 do not pass. (50-49)

That HB 54 do pass. Motion failed. (35-58)

That HB 54 do not pass. (60-36)

Tropila moved that the Committee of the Whole Report be deemed read. Motion carried.

That the Committee rise and report. (Tropila, Chairman). Report adopted. (87-10)

MOTIONS

Dussault moved that the rules be temporarily suspended to allow all bills passed on Second Reading this day to be placed on Third Reading. Motion carried.

Dussault moved that HB 781 be taken from Engrossing and referred to the Committee on Appropriations. Motion carried.

Waldron moved that the House reconsider its action taken in failing to pass HB 695 on Second Reading this day. Motion failed. (38-55)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 2 failed to pass by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Cooney, Dassinger, Dozier, Dussault, Fagg, Frates, Gesek, Harper, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnson, Keedy, Kemmis, Kessler, Lien, Lory, Lund, McBride, Magone, Manning, Metcalf, Nordtvedt, Oberg, O'Connell, Ramirez, Reichert, Roth, Scully, Shelden, South, Uhde, Vincent, Waldron, Yardley, Mr. Speaker.

Total 45

Noes: Bengtson, Burnett, Conroy, Curtiss, Daily, Day, Donaldson, Ellerd, Ellis, Ellison, Ernst, Fabrega, Feda, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Iverson, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Pavlovich, Pistoria, Porter, Quilici, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vinger, Williams, Wood, Wyrick.
Total 53

Excused: Seifert.
Total 1

Absent or not voting: Eudaily.
Total 1

House Bill No. 476 was passed by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hemstad, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, Magone, Manning, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Sales, Scully, Shelden, Sivertsen, Smith, Teague, Tropila, Uhde, Vincent, Waldron, Mr. Speaker.
Total 64

Noes: Anderson, Bengtson, Brand, Burnett, Conroy, Cooney, Ellerd, Ellison, Ernst, Feda, Harrington, Hayne, Hirsch, Kropp, McBride, Manuel, Marks, Menahan, Nathe, Pavlovich, Ramirez, Rosenthal, Roth, Schultz, South, Spilker, Staigmiller, Stobie, Thoft, Underdal, Vinger, Williams, Wood, Wyrick, Yardley.
Total 35

Excused: Seifert.
Total 1

Absent or not voting: None.
Total 0

House Bill No 788 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: Ellis, Ellison, Hayne, Hurwitz, Kvaalen, Nordtvedt, Porter, Stobie, Vinger.
Total 9

Excused: Seifert.

Total 1

Absent or not voting: Bertelsen, Tropila.
Total 2

House Bill No. 800 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: Donaldson, Gesek, Johnson, Stobie.
Total 4

Excused: Seifert.
Total 1

Absent or not voting: Rosenthal.
Total 1

House Bill No. 837 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.
Total 84

Noes: Bardanouve, Brand, Curtiss, Ellis, Eudaily, Huennekens, Hurwitz, Keyser, Kvaalen, Lory, Moore, Roth, Smith, Wood, Yardley.
Total 15

Excused: Seifert.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 846 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone,

Manning, Marks, Menahan, Metcalf, Meyer, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Teague, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 80

Noes: Brand, Burnett, Curtiss, Ernst, Gould, Hurwitz, Kvaalen, Manuel, Moore, Nathe, K. Robbins, Roth, Smith, Staigmiller, Stobie, Underdal, Vinger, Wyrick.
Total 18

Excused: Seifert.
Total 1

Absent or not voting: Hirsch.
Total 1

House Bill No. 853 was passed by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Bennett, Brand, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Eudaily, Fagg, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnson, Kanduch, Keedy, Kemmis, Kessler, Lory, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Oberg, O'Connell, Pavlovich, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Scully, Shelden, South, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 56

Noes: Anderson, Bertelsen, Burnett, Conroy, Curtiss, Donaldson, Ellerd, Ellison, Ernst, Fabrega, Feda, Gould, Hayne, Hemstad, Hurwitz, Iverson, Jensen, Johnston, Keyser, Kropp, Kvaalen, Lien, Lund, Marks, Meyer, Moore, Nathe, Nordtvedt, Pistoria, Ramirez, Roth, Sales, Schultz, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Thoft, Underdal, Vinger, Wood, Wyrick.
Total 43

Excused: Seifert.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 870 was passed by the following vote:

Ayes: Anderson, Baeth, Bengtson, Brand, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Ellerd, Ellison, Ernst, Fabrega, Fagg, Feda, Gilligan, Gould, Hand, Hemstad, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Keyser, Kropp, Kvaalen, Lien, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Scully, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Wood, Wyrick.
Total 61

Noes: Azzara, Bardanouve, Bennett, Bertelsen, Burnett, Cooney, Dozier, Dussault, Ellis, Eudaily, Frates, Gesek, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Johnson, Kemmis, Kessler, Lory, Lund, McBride, Magone, Manning, Metcalf, Oberg, Rosenthal, Shelden, South, Underdal, Vincent, Vinger, Waldron, Williams, Yardley, Mr. Speaker.
Total 38

Excused: Seifert.
Total 1

Absent or not voting: None.
Total 0

House Joint Resolution No. 40 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Huennekens, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Schultz, Scully, Shelden, South, Spilker, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 85

Noes: Burnett, Ellerd, Hirsch, Hurwitz, Jensen, Kvaalen, K. Robbins, Roth, Sales, Smith, Staigmiller, Thoft.
Total 12

Excused: Seifert.
Total 1

Absent or not voting: Ellison, Sivertsen.
Total 2

House Joint Resolution No. 46 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 87

Noes: Bardanouve, Brand, Burnett, Conroy, Curtiss, Ellis, Huennekens, Keyser, Lory, Moore, Yardley.
Total 11

Excused: Seifert.
Total 1

Absent or not voting: Teague.
Total 1

House Bill No. 43 failed to pass by the following vote:

Ayes: Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gould, Hand, Hemstad, Hurwitz, Iverson, Jensen, Johnston, Lien, Lund, Manuel, Marks, Meyer, Moore, Nathe, Nordtvedt,

O'Connell, Porter, Quilici, Ramirez, Reichert, Sales, Schultz, Sivertsen, Spilker, Stobie, Tropila, Underdal, Vinger, Wood, Mr. Speaker.
Total 49

Noes: Anderson, Azzara, Baeth, Bardanouve, Cooney, Dozier, Dussault, Ellison, Frates, Gilligan, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lory, McBride, Magone, Manning, Menahan, Metcalf, Oberg, Pavlovich, Pistoria, H. Robbins, K. Robbins, Rosenthal, Roth, Scully, Shelden, Smith, South, Staigmiller, Teague, Thoft, Uhde, Vincent, Waldron, Williams, Wyrick, Yardley.
Total 49

Excused: Seifert.
Total 1

Absent or not voting: Kvaalen.
Total 1

House Bill No. 436 was passed by the following vote:

Ayes: Anderson, Azzara, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Curtiss, Daily, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Gilligan, Gould, Hand, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kessler, Keyser, Kropp, Kvaalen, Lien, Lund, Manning, Manuel, Marks, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Uhde, Underdal, Vinger, Williams, Wood, Wyrick.
Total 72

Noes: Baeth, Bardanouve, Cooney, Dassinger, Dussault, Eudaily, Frates, Gesek, Harper, Harrington, Holmes, Johnson, Kanduch, Keedy, Kemmis, Lory, McBride, Magone, Menahan, Metcalf, Oberg, Pistoria, Tropila, Vincent, Waldron, Yardley, Mr. Speaker.
Total 27

Excused: Seifert.
Total 1

Absent or not voting: None.
Total 0

House Bill No. 559 was passed by the following vote:

Ayes: Anderson, Baeth, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Holmes, Iverson, Jensen, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Schultz, Shelden, Sivertsen, Smith, Spilker, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 72

Noes: Bardanouve, Bengtson, Brand, Dassinger, Frates, Harper, Hirsch, Huennekens, Hurwitz, Johnson, Keedy, Kemmis, Kessler, McBride, Magone, Metcalf, Oberg, K. Robbins, Roth, Sales, Scully, South, Staigmiller, Stobie, Uhde, Yardley.

Total 26

Excused: Seifert.
Total 1

Absent or not voting: Azzara.
Total 1

House Bill No. 684 was passed by the following vote:

Ayes: Bennett, Bertelsen, Burnett, Conroy, Curtiss, Daily, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Gould, Hand, Hayne, Hemstad, Iverson, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Lory, Magone, Marks, Meyer, Moore, Nathe, O'Connell, Pavlovich, Pistoria, Porter, Quilici, K. Robbins, Roth, Sales, Schultz, Scully, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Thoft, Tropila, Underdal, Vinger, Wood, Wyrick.
Total 51

Noes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Brand, Cooney, Dassinger, Day, Dozier, Dussault, Fagg, Frates, Gilligan, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnson, Keedy, Kemmis, Kessler, Lien, Lund, McBride, Manning, Manuel, Menahan, Metcalf, Nordtvedt, Oberg, Ramirez, Reichert, H. Robbins, Rosenthal, Shelden, South, Teague, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 46

Excused: Seifert.
Total 1

Absent or not voting: Gesek, Hurwitz.
Total 2

House Bill No. 731 was passed by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Eudaily, Fabrega, Fagg, Feda, Gesek, Gilligan, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Johnson, Johnston, Keedy, Kemmis, Kessler, Lien, McBride, Magone, Manning, Menahan, Metcalf, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Sivertsen, South, Spilker, Stobie, Thoft, Vincent, Vinger, Waldron, Wood, Mr. Speaker.
Total 63

Noes: Azzara, Bardanouve, Bertelsen, Donaldson, Ellerd, Ellison, Ernst, Frates, Gould, Harper, Iverson, Jensen, Kanduch, Keyser, Kropp, Kvaalen, Lory, Lund, Manuel, Marks, Meyer, Nordtvedt, Rosenthal, Sales, Schultz, Scully, Smith, Staigmiller, Teague, Tropila, Uhde, Underdal, Williams, Wyrick, Yardley.
Total 35

Excused: Seifert.
Total 1

Absent or not voting: Shelden.
Total 1

House Bill No. 865 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson,

Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Harper, Holmes, Hurwitz, Lory.
Total 4

Excused: Seifert.
Total 1

Absent or not voting: Bardanouve, Waldron.
Total 2

House Bill No. 481 was passed by the following vote:

Ayes: Anderson, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gould, Hand, Hayne, Hemstad, Iverson, Jensen, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Meyer, Moore, Nathe, Nordtvedt, Pavlovich, Pistoria, Porter, Quilici, Ramirez, K. Robbins, Roth, Sales, Schultz, Smith, Stobie, Teague, Thoft, Uhde, Underdal, Vinger, Waldron, Wood, Wyrick.
Total 57

Noes: Baeth, Bardanouve, Brand, Cooney, Dussault, Ellison, Frates, Gilligan, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnson, Keedy, Kemmis, Kessler, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Oberg, O'Connell, Reichert, H. Robbins, Rosenthal, Scully, Sivertsen, South, Spilker, Staigmiller, Vincent, Williams, Yardley, Mr. Speaker.
Total 39

Excused: Seifert.
Total 1

Absent or not voting: Azzara, Shelden, Tropila.
Total 3

House Bill No. 623 was passed by the following vote:

Ayes: Anderson, Bardanouve, Bengtson, Bertelsen, Brand, Burnett, Cooney, Daily, Dozier, Dussault, Ellerd, Ellis, Eudaily, Fabrega, Feda, Gesek, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Metcalf, Moore, Nathe, Oberg, O'Connell, Pistoria, Quilici, Reichert, Roth, Sales, Schultz, South, Staigmiller, Teague, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 63

Noes: Azzara, Baeth, Bennett, Conroy, Curtiss, Dassinger, Donaldson, Ellison, Ernst, Fagg, Frates, Gilligan, Jensen, Johnson, Keyser, Kvaalen, Menahan, Meyer, Nordtvedt, Porter, Ramirez, H. Robbins, K. Robbins, Rosenthal, Scully, Sivertsen, Smith, Spilker, Stobie, Thoft, Uhde, Yardley.

Total 32

Excused: Seifert.
Total 1

Absent or not voting: Day, Gould, Pavlovich, Shelden.
Total 4

MOTIONS

Kvaalen moved that the House reconsider its action taken in defeating HB 43 on Third Reading this day. Motion failed. (46-51)

Bengtson moved that she be allowed to record her vote as aye on HB 436 on Third Reading this day. Motion carried unanimously.

COMMUNICATIONS AND PETITIONS

Mr. Morris L. Brusett 2/23/79
Legislative Auditor
Capitol Building

Dear Mr. Brusett:

I hereby appoint the following Representatives to the Legislative Audit Committee:

Representative Joe Tropila, Democrat

Representative Harold Gerke, Democrat

Representative Howard Ellis, Republican

Representative Gene Wood, Republican

Sincerely

Harold E. Gerke
Speaker

Dussault moved that the House adjourn until 4:00 p.m., February 27, 1979.

Motion carried.

House adjourned at 4:49 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

FORTY-SIXTH LEGISLATIVE DAY

Helena, Montana
February 27, 1979

House Chambers
Capitol Building

House convened at 4:01 p.m., Mr. Speaker in the Chair. Invocation by Reverend Reeves. Pledge of Allegiance to the Flag.

Roll call. All members present except Bertelsen, Brand, Fagg, Lien, Ramirez, K. Robbins, Roth, Teague, Wyrick, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Thirty-eighth, Thirty-ninth and Fortieth Legislative Days, find the same to be correct.

METCALF, Chairman

COMMUNICATIONS AND PETITIONS

The Speaker appointed Representatives Dussault and Sivertsen to escort Georgia Rice, Mr. Kenneth Monilaws and his mother to the rostrum. Representative Iverson introduced Georgia Rice, Superintendent of Public Instruction, who presented to Mr. Monilaws the 1979 Teacher of the Year Award. Mr. Monilaws, a teacher in the Inverness School System, extended words of appreciation to the body. Mrs. Rice and her party were escorted from the Chambers.

Mr. Geoffery Brazier
Consumer Counsel
330 Fuller Avenue
Helena, Montana 59601

2/27/79

Dear Mr. Brazier:

I have this day appointed the following Representatives to serve on the Consumer Counsel Committee for the 1979-80 biennium:

Representative Joe Quilici, Democrat

Representative Earl Lory, Republican

Sincerely,

Harold E. Gerke
Speaker

REPORTS OF STANDING COMMITTEES

Signed by the Speaker, 2/23/79 - HB 415.

MESSAGES FROM THE GOVERNOR

The Honorable Harold Gerke
Speaker
House of Representatives
State Capitol
Helena, Montana 59601

2/23/79

Dear Mr. Speaker:

This is to inform you that I have signed the following measures this date.

House Bill Nos. 30, 62, 66, 69, 75, 146, and 183.

Sincerely,

Thomas L. Judge
Governor

MESSAGES FROM THE OTHER HOUSE

Senate Bills passed as amended and transmitted to the House for concurrence: 2/23/79

Senate Bill No. 44, introduced by Dover

Senate Bill No. 54, introduced by Towe

Senate Bill No. 132, introduced by Blaylock, Stephens

Senate Bill No. 221, introduced by Turnage, S. Brown

Senate Bill No. 228, introduced by Goodover, Kolstad, et al

Senate Bill No. 243, introduced by Towe

Senate Bill No. 271, introduced by Hazelbaker, Towe

Senate Bill No. 283, introduced by Lowe, Kolstad, et al

Senate Bill No. 290, introduced by Dover, Mathers

Senate Bill No. 301, introduced by Lensink, Regan, et al

Senate Bill No. 319, introduced by E. Smith

Senate Bill No. 348, introduced by Van Valkenburg

Senate Bill No. 352, introduced by Local Gov. (McCallum)

Senate Bill No. 386, introduced by Blaylock

Senate Bill No. 400, introduced by Towe, Jergeson

Senate Bill No. 409, introduced by Regan, Lensink, Dussault

Senate Bill No. 425, introduced by Thiessen, Day, Wood, et al

Senate Bill No. 448, introduced by Goodover

Senate Bill No. 458, introduced by Healy, Mehrens, et al

Senate Bill No. 476, introduced by Van Valkenburg, Ryan

Senate Bill No. 481, introduced by Regan, Fasbender, et al

Senate Bill No. 482, introduced by B. Brown

Senate Bill No. 489, introduced by Rasmussen

Senate Bill No. 495, introduced by Towe, O'Hara, Galt, et al

Senate Bill No. 496, introduced by Turnage, S. Brown

Senate Bill No. 497, introduced by Van Valkenburg

Senate Bill No. 498, introduced by Roskie, Ryan

Senate Bill No. 500, introduced by Etchart, Dover, Graham

Senate Bill No. 506, introduced by Etchart, Manley, et al, (Committee on Natural Resources)

Senate Bill No. 509, introduced by Conover, Boylan

Senate Bill No. 514, introduced by Roskie, Graham

Senate Bill No. 515, introduced by Graham, Roskie

Senate Bill No. 519, introduced by Towe, (by request of Senate Judiciary Committee)

Senate Bills passed and transmitted to the House for concurrence: 2/23/79

Senate Bill No. 97, introduced by Himsl, Story, Hafferman, Kolstad, et al

Senate Bill No. 369, introduced by Jergeson, Blaylock, et al

Senate Bill No. 390, introduced by Lockrem, Himsl

Senate Bill No. 393, introduced by Towe

Senate Bill No. 395, introduced by S. Brown

Senate Bill No. 422, introduced by Hager, Healy

Senate Bill No. 459, introduced by Turnage, McCallum

Senate Bill No. 491, introduced by Turnage, Bardanouve

Senate Bill No. 511, introduced by Turnage, McCallum

MESSAGES FROM THE GOVERNOR

2/23/79

The Honorable William Mathers
President of the Senate
State Capitol
Helena, Montana 59601

The Honorable Harold Gerke
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear President Mathers and Speaker Gerke:

I, Thomas L. Judge, in accordance with the authority conferred upon me as Governor by the laws and constitution of the State of Montana, do hereby return House Bill No. 40, "AN ACT TO PROVIDE FOR A SENIOR CITIZENS REPRESENTATIVE ON THE BOARD OF NURSING HOME ADMINISTRATORS; AMENDING SECTION 2-15-1611.", without my signature and recommend the attached amendment.

House Bill 40 provides, in Section 2, that five members be appointed by the Governor and that one of the members appointed to the Board of Nursing Home Administrators shall represent the public at large. House Bill 40 further provides, in Section 4, that the appointee representing the public at large is to be selected from a list prepared by the Governor's Commission on Aging.

Section 82A-1902(3), R.C.M., 1947, abolished the commission on aging and transferred its functions to the Department of Social and Rehabilitation Services and the Board of Social and Rehabilitation Appeals. Therefore, the language in Section 4 of House Bill 40 is not applicable, and it is requested that the member to serve the public at large on the Board of Nursing Home Administrators be appointed by the Governor as provided in Section (2) and that the language referring to the Governor's Commission on Aging be stricken.

I respectfully request your concurrence in this amendment.

Best regards.

Sincerely,

Thomas L. Judge
Governor

PROPOSED AMENDMENT TO HOUSE BILL 40

1. Page 2, lines 2 through 4.
Following: "selected:"
Strike: "from a list of three nominees submitted for the appointment by the GOVERNOR'S COMMISSION ON AGING"
Insert: "by the governor"

MOTIONS

Dussault moved that HB 855 be taken from Second Reading and referred to the Committee on Education and Cultural Resources. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time and referred to committee:

HB 892, introduced by Teague, Dassinger, Frates, Kessler, Nordtvedt, Fagg, Fabrega, Bennett, Oberg, Dozier, Anderson, Holmes, Metcalf, Azzara, Cooney, Menahan, Huennekens, Quilici, Daily, Hemstad, Pistoria, Meyer, Day, Kemmis, Pavlovich, Johnston. Referred to Committee on Appropriations.

The following Senate bills were introduced, read first time and referred to committees:

SB 44, introduced by Dover, (By Request of the Interim Subcommittee on Subdivision Laws). Referred to Committee on Local Government.
SB 54, introduced by Towe, (By Request of the Department of Business Regulation). Referred to Committee on Judiciary.
SB 97, introduced by Himsl, Story, Hafferman, Kolstad, Galt, Thomas, Fasbender, Turnage, O'Hara, Nelson, Severson, Jergeson, Regan, Stephens, Healy, Peterson, R. Smith, B. Brown, Rasmussen, Mehrens, Hazelbaker, Lowe, Stimatz, Etchart, Thiessen. Referred to Committee on Human Services.
SB 132, introduced by Blaylock, Stephens. Referred to Committee on State Administration.
SB 221, introduced by Turnage, S. Brown, (By Request of the Department of Revenue). Referred to Committee on Judiciary.
SB 228, introduced by Goodover, Kolstad, Aklestad, O'Hara, Ryan, Manley. Referred to Committee on Judiciary.
SB 243, introduced by Towe, (By Request of the Attorney General). Referred to Committee on Judiciary.
SB 271, introduced by Hazelbaker, Towe, (By Request of the Board of Crime Control). Referred to Committee on Judiciary.
SB 283, introduced by Lowe, Kolstad, Hazelbaker, Thiessen, Mathers, McCallum, Hafferman, Story, Himsl, Boylan, Stephens, Roskie, Dover, Underdal. Referred to Committee on Judiciary.
SB 290, introduced by Dover, Mathers, Etchart, Lowe. Referred to Committee on Local Government.
SB 301, introduced by Lensink, Regan, Anderson, Jergeson, S. Brown, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Judiciary.

SB 319, introduced by E. Smith. Referred to Committee on Appropriations.
SB 348, introduced by Van Valkenburg. Referred to Committee on Judiciary.
SB 352, (introduced by Local Government Committee), McCallum, Chairman. Referred to Committee on Local Government.
SB 369, introduced by Jergeson, Blaylock, Stephens, B. Brown, (By Request of the Governor). Referred to Committee on Taxation.
SB 386, introduced by Blaylock. Referred to Committee on Judiciary.
SB 390, introduced by Lockrem, Himsl, (By Request of the Legislative Audit Committee). Referred to Committee on Business and Industry.
SB 393, introduced by Towe. Referred to Committee on Judiciary.
SB 395, introduced by S. Brown, (By Request of the Commissioner of Campaign Finances and Practices). Referred to Committee on State Administration.
SB 400, introduced by Towe, Jergeson. Referred to Committee on State Administration.
SB 409, introduced by Regan, Lensink, Dussault. Referred to Committee on Judiciary.
SB 422, introduced by Hager, Healy, (By Request of the Board of Professional Engineers and Land Surveyors). Referred to Committee on State Administration.
SB 425, introduced by Thiessen, Day, Wood, Olson, Kvaalen, Wyrick, Ryan, Nathe, Lien, C. Smith, R. Smith, Galt. Referred to Committee on State Administration.
SB 448, introduced by Goodover. Referred to Committee on Appropriations.
SB 458, introduced by Healy, Mehrens, Peterson, Stimatz, Thomas, (By Request of the Board of Plumbers). Referred to Committee on Business and Industry.
SB 459, introduced by Turnage, McCallum. Referred to Committee on Taxation.
SB 476, introduced by Van Valkenburg, Ryan. Referred to Committee on Judiciary.
SB 481, introduced by Regan, Fasbender, Stephens, Kolstad. Referred to Committee on Taxation.
SB 482, introduced by B. Brown. Referred to Committee on Judiciary.
SB 489, introduced by Rasmussen, (By Request of the Board of Public Accountants). Referred to Committee on Business and Industry.
SB 491, introduced by Turnage, Bardanouve. Referred to Committee on Judiciary.
SB 495, introduced by Towe, O'Hara, Galt, Olson, Anderson. Referred to Committee on Judiciary.
SB 496, introduced by Turnage, S. Brown. Referred to Committee on Business and Industry.
SB 497, introduced by Van Valkenburg. Referred to Committee on Fish and Game.
SB 498, introduced by Roskie, Ryan, (By Request of the Board of Architects). Referred to Committee on Business and Industry.
SB 500, introduced by Etchart, Dover, Graham. Referred to Committee on Business and Industry.
SB 506, (introduced by Natural Resources Committee), Roskie, Chairman, Etchart, Manley, Dover, Lockrem, Story, Lowe. Referred to Committee on Natural Resources.
SB 509, introduced by Conover, Boylan. Referred to Committee on Agriculture, Livestock and Irrigation.
SB 511, introduced by Turnage, McCallum. Referred to Committee on Judiciary.

SB 514, introduced by Roskie, Graham. Referred to Committee on Natural Resources.

SB 515, introduced by Graham, Roskie. Referred to Committee on Natural Resources.

SB 519, introduced by Towe, (By Request of the Senate Judiciary Committee). Referred to Committee on Judiciary.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Fabrega in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 29 be concurred in. (48-36)

That SB 52 be concurred in. (78-7)

That SB 68 be concurred in. (87-0)

That SB 77 be concurred in. (84-2)

That SB 140 be concurred in. (83-0)

That SB 141 be concurred in. (62-23)

That the Committee rise and report. (Fabrega, Chairman). Report adopted. (86-0)

MOTIONS

Shelden moved that SB 368 be rereferred from the Committee on Local Government to the Committee on Natural Resources. Motion carried.

Dussault moved that HB 891 be rereferred from the Committee on Appropriations to the Select Committee on Employee Compensation. Motion carried.

Sivertsen moved that the rules be suspended to allow the introduction of a House Joint Resolution concerning the increase in the highway speed limit. Motion carried. (68-14)

Dussault moved that the House adjourn until 3:30 p.m., February 28, 1979.

Motion carried.

House adjourned at 4:53 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

FORTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
February 28, 1979

House Chambers
Capitol Building

House convened at 3:29 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Brand, Fagg, Feda, Meyer, Sivertsen, Williams, Wyrick, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Forty-first Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

Do Pass

BUSINESS AND INDUSTRY (Quilici, Chairman): 2/28/79
SB 82, be concurred in. Report adopted.
SB 84, be concurred in. Report adopted.
SB 139, be concurred in. Report adopted.
SB 148, be concurred in. Report adopted.
SB 157, be concurred in. Report adopted.

MOTIONS

Dussault moved that the Governor's Amendment to HB 40 be placed on Second Reading this day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time and referred to committee:

HJR 50, introduced by Sivertsen, Ramirez, Kolstad, Ryan, Gilligan, Staigmiller, Feda. Referred to Committee on Highways and Transportation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Daily in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That the Governor's Amendment to HB 40 be concurred in. (91-1)

That the Committee rise and report. (Daily, Chairman). Report adopted. (91-1)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 29 was concurred in by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Eudaily, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Scully, Seifert, Shelden, Smith, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Wood, Yardley, Mr. Speaker.
Total 75

Noes: Anderson, Burnett, Curtiss, Ellerd, Ernst, Keyser, Lund, Moore, Nathe, Porter, Roth, Schultz, Spilker, Underdal, Vinger.
Total 15

Excused: Brand, Fagg, Feda, Meyer, Sivertsen, Williams, Wyrick.
Total 7

Absent or not voting: Fabrega, Keedy, Waldron.
Total 3

Senate Bill No. 52 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Wood, Yardley, Mr. Speaker.
Total 82

Noes: Burnett, Harper, Hayne, Jensen, Keedy, Moore, Nordtvedt, Porter, K. Robbins, Stobie.
Total 10

Excused: Brand, Fagg, Feda, Meyer, Sivertsen, Williams, Wyrick.
Total 7

Absent or not voting: Fabrega.
Total 1

Senate Bill No. 68 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Wood, Yardley, Mr. Speaker.

Total 92

Noes: None.
Total 0

Excused: Brand, Fagg, Feda, Meyer, Sivertsen, Williams, Wyrick.
Total 7

Absent or not voting: Fabrega.
Total 1

Senate Bill No. 77 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Wood, Yardley, Mr. Speaker.
Total 90

Noes: Moore, Smith.
Total 2

Excused: Brand, Fagg, Feda, Meyer, Sivertsen, Williams, Wyrick.
Total 7

Absent or not voting: Fabrega.
Total 1

Senate Bill No. 140 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Ernst, Eudaily, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Shelden, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Wood, Yardley, Mr. Speaker.
Total 75

Noes: Burnett, Conroy, Donaldson, Ellerd, Ellison, Hayne, Lund, Marks, Moore, Roth, Seifert, Smith, South, Stobie, Underdal.
Total 15

Excused: Brand, Fagg, Feda, Meyer, Sivertsen, Williams, Wyrick.
Total 7

Absent or not voting: Fabrega, Hirsch, Scully.
Total 3

Senate Bill No. 141 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault,

Ellis, Ernst, Eudaily, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Scully, Shelden, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Vincent, Waldron, Yardley, Mr. Speaker.
Total 71

Noes: Burnett, Conroy, Curtiss, Ellerd, Ellison, Hayne, Hirsch, Kvaalen, Lund, Marks, Moore, Nathe, Roth, Sales, Seifert, Smith, South, Stobie, Underdal, Vinger, Wood.
Total 21

Excused: Brand, Fagg, Feda, Meyer, Sivertsen, Williams, Wyrick.
Total 7

Absent or not voting: Fabrega.
Total 1

Dussault moved that the House adjourn until 3:30 p.m., March 1, 1979.

Motion carried.

House adjourned at 4:46 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

FORTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
March 1, 1979

House Chambers
Capitol Building

House convened at 3:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Day, Johnson, Meyer, Sivertsen, Teague, Thoft, excused; Azzara, absent. Quorum present.

REPORTS OF STANDING COMMITTEES

Do Pass

BUSINESS AND INDUSTRY (Quilici, Chairman): 3/1/79
SB 39, third reading copy, be amended as follows:

1. Page 18, line 1.
Following: "provisions of"
Strike: "30-14-205"
Insert: "30-14-206"

2. Page 18.
Following: line 9
Insert: "(2) A violation of 30-14-205 is punishable by imprisonment in the county jail for a period not less than 24 hours or more than 1 year or by fine not exceeding $25,000, or both."
Renumber: subsequent subsection

And as amended, be concurred in. Report adopted.

SB 55, be concurred in. Report adopted.
SB 117, be concurred in. Report adopted.
SB 201, be concurred in. Report adopted.
SB 272, be concurred in. Report adopted.
SB 328, be concurred in. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Gilligan, Chairman): 2/28/79
SJR 13, be concurred in. Report adopted.
SJR 17, be concurred in. Report adopted.

HUMAN SERVICES (Holmes, Chairman): 2/28/79
SB 109, third reading copy, be amended as follows:

1. Page 4, line 21 through line 5 on page 5.
Following: line 20
Strike: subsections (1) and (2) in their entirety
Renumber: subsequent subsections

And as amended, be concurred in. Report adopted.

SB 175, be concurred in. Report adopted.

Consent Calendar

Bill passed unanimously in committee and unanimously placed on Consent Calendar:

EDUCATION AND CULTURAL RESOURCES (Gilligan, Chairman): 2/28/79
SB 192, be concurred in. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 893, introduced by Seifert, Turnage, Anderson, McCallum, Kemmis, Stobie, Jensen. Referred to Committee on Appropriations.
HB 894, introduced by Burnett. Referred to Committee on Appropriations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Daily in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 82 be concurred in. (65-23)

That SB 84 be concurred in. (82-5)

That SB 139 be concurred in. (87-1)

Teague present at this time.

That SB 148, third reading copy, be amended as follows: (89-1)

1. Page 2, line 17.
Following: line 16
Strike: "ALLOWS"
Insert: "requires"

And as amended, be concurred in. (89-4)

That SB 157 be concurred in. (92-0)

That the Committee rise and report. (Daily, Chairman). Report adopted. (93-1)

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

Governor's Amendment to House Bill No. 40 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Smith, South, Spilker, Staigmiller,

Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Moore.
Total 1

Excused: Day, Johnson, Meyer, Sivertsen, Thoft.
Total 5

Absent or not voting: Azzara.
Total 1

REPORTS OF STANDING COMMITTEES

Do Pass

LABOR AND EMPLOYMENT RELATIONS (Williams, Chairman):
3/1/79

SB 150, be concurred in. Report adopted.
SB 190, be concurred in. Report adopted.

Dussault moved that the House adjourn until 3:30 p.m., March 2, 1979.

Motion carried.

House adjourned at 4:16 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

FORTY-NINTH LEGISLATIVE DAY

Helena, Montana
March 2, 1979

House Chambers
Capitol Building

House convened at 3:28 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Meyer, Pavlovich, Sivertsen, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Forty-second Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

Dussault moved that all Standing Committee Reports with a do pass recommendation be deemed read. Motion carried.

BILLS (Metcalf, Chairman): 3/2/79

Delivered to the Governor for his approval at 9:36 a.m., 3/2/79 - HB 415.

Will be signed by the Speaker on adjournment, 3/2/79 - SB 48.

Do Pass

AGRICULTURE, LIVESTOCK AND IRRIGATION (Day, Chairman): 3/2/79

SB 436, be concurred in. Report adopted.
SJR 14, be concurred in. Report adopted.

BUSINESS AND INDUSTRY (Quilici, Chairman): 3/2/79

SB 62, be concurred in. Report adopted.
SB 209, third reading copy, be amended as follows:

1. Page 2, line 11.
Following: "THE"
Strike: "USE"
Insert: "granting"

And as amended, be concurred in. Report adopted.

SB 255, be concurred in. Report adopted.
SB 268, be concurred in. Report adopted.
SB 371, be concurred in. Report adopted.
SB 381, be concurred in. Report adopted.
SJR 24, be concurred in. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Gilligan, Chairman): 3/2/79

SB 79, be concurred in. Report adopted.
SB 193, third reading copy, be amended as follows:

1. Title, line 7.
Following: "FUND"
Strike: "MONEYS"
Insert: "MONEY"

2. Page 1, line 14.

Following: "nongeneral fund"
Strike: "moneys"
Insert: "money"

3. Page 1, line 15.
Following: "fund"
Strike: "moneys"
Insert: "money"

4. Page 1, line 19.
Following: "All"
Strike: "moneys"
Insert: "money"

5. Page 1, line 22.
Following: "of the"
Strike: "moneys"
Insert: "money"

6. Page 2, line 3.
Following: "fund"
Strike: "moneys"
Insert: "money"

7. Page 2, line 5.
Following: "fund"
Strike: "moneys"
Insert: "money"

And as amended, be concurred in. Report adopted.

SB 316, be concurred in. Report adopted.

LOCAL GOVERNMENT (H. Robbins, Chairman): 3/1/79
SB 237, be concurred in. Report adopted.
SB 257, be concurred in. Report adopted.
SB 264, third reading copy, be amended as follows:

1. Page 2, line 2.
Following: "vicious"
Strike: ", unruly, or ferocious"

2. Page 2.
Following: line 7
Insert: "(3) For purposes of this section, a "vicious dog" is defined as one which bites or attempts to bite any human being without provocation or which harasses, chases, bites, or attempts to bite any other animal. The term "animal" includes all livestock and any domestic pet."

And as amended, be concurred in. Report adopted.

HIGHWAYS AND TRANSPORTATION (Baeth, Chairman): 3/1/79
SB 98, be concurred in. Report adopted.
SB 154, be concurred in. Report adopted.
SB 196, be concurred in. Report adopted.
SB 251, third reading copy, be amended as follows:

1. Title, line 4.
Following: "REQUIRE"
Insert: "THAT"

2. Title, line 5.

Strike: "TO"
Insert: "MAY"
Strike: "LICENSED"

3. Title, line 7.
Following: "SALVAGE"
Insert: "ONLY IF THE WRECKING FACILITY IS LICENSED"

And as amended, be concurred in. Report adopted.

Consent Calendar

Bills unanimously passed in committee and unanimously placed on Consent Calendar:

HIGHWAYS AND TRANSPORTATION (Baeth, Chairman): 3/1/79
SB 179, be concurred in. Report adopted.
SB 297, be concurred in. Report adopted.

MESSAGES FROM THE OTHER HOUSE

Senate Bills passed as amended and transmitted to the House for concurrence: 3/1/79

Senate Bill No. 303, introduced by Norman, Fabrega

Senate Bill No. 347, introduced by Towe, et al

Senate Bill passed and transmitted to the House for concurrence: 3/1/79

Senate Bill No. 265, introduced by Stimatz

House Bills concurred in and returned to the House: 3/1/79

House Bill No. 159, introduced by Harper

House Bill No. 192, introduced by Manuel

House Bill No. 202, introduced by Ernst, Schultz, Nathe, et al

House Bill No. 215, introduced by Magone

MOTIONS

Vincent moved that the Journal reflect Representative Meyer as excused on the Forty-eighth Legislative Day. Motion carried.

Brand moved that SB 286 be rereferred from the Committee on State Administration to the Committee on Judiciary. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time and referred to committee:

HB 895, introduced by Bardanouve. Referred to Committee on Appropriations.

The following Senate bills were introduced, read first time and referred to committees:

SB 265, introduced by Stimatz. Referred to Committee on Taxation.
SB 303, introduced by Norman, Fabrega. Referred to Committee on Taxation.
SB 347, introduced by Towe, Mathers, Manning, Roskie, Severson. Referred to Committee on Taxation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Lory in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 39 be concurred in. (84-4)

That SB 55 be concurred in. (91-0)

That SB 109 be concurred in. (86-5)

That SB 117 be concurred in. (93-2)

Menahan moved that SB 150 be placed at the bottom of the board. Motion carried.

That SB 175, third reading copy, be amended as follows: (47-40)

1. Page 6, line 11.
Strike: "$1,000"
Insert: "$500"

And as amended, be concurred in. (77-12)

Williams moved that SB 190 be placed at the bottom of the board. Motion carried.

That SB 201 be concurred in. (83-1)

That SB 272 be concurred in. (86-0)

That SB 328 be concurred in. (84-3)

That SJR 13, third reading copy, be amended as follows: (90-0)

1. Page 2.
Following: line 1
Insert: "(4) That the Montana Arts Council coordinate their decisions with the plans of the Long-Range Planning Committee."

And as amended, be concurred in. (77-11)

That SJR 17 be concurred in. (79-5)

That SB 150 be concurred in. (76-8)

That SB 190, third reading copy, be amended as follows: (80-1)

1. Page 4, line 18.
Following: "elementary"
Strike: "or"
Insert: "school,"
Following: "high school"
Insert: ","

And as amended, be concurred in. (84-0)

Lory moved that the Committee of the Whole Report be deemed read. Motion carried.

That the Committee rise and report. (Lory, Chairman). Report adopted. (84-0)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 82 was concurred in by the following vote:

Ayes: Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Cooney, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gould, Hand, Harper, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kessler, Kvaalen, Lien, Lory, Lund, McBride, Manuel, Marks, Metcalf, Nathe, Nordtvedt, Oberg, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Rosenthal, Schultz, Shelden, Smith, South, Spilker, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Yardley.
Total 67

Noes: Baeth, Brand, Burnett, Conroy, Curtiss, Hayne, Keyser, Kropp, Magone, Manning, Menahan, Moore, O'Connell, Pistoria, Roth, Seifert, Staigmiller, Stobie, Vinger, Mr. Speaker.
Total 20

Excused: Meyer, Pavlovich, Sivertsen.
Total 3

Absent or not voting: Anderson, Daily, Gilligan, Harrington, Hurwitz, Kemmis, Reichert, Sales, Scully, Wyrick.
Total 10

Senate Bill No. 84 was concurred in by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Oberg, O'Connell, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Seifert, Shelden, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 82

Noes: Burnett, Ellerd, Feda, Nathe, Nordtvedt, Smith, Thoft, Vinger.
Total 8

Excused: Meyer, Pavlovich, Sivertsen.
Total 3

Absent or not voting: Anderson, Daily, Gilligan, Harrington, Hurwitz, Sales, Scully.
Total 7

Senate Bill No. 139 was concurred in by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda,

Frates, Gesek, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: None.
Total 0

Excused: Meyer, Pavlovich, Sivertsen.
Total 3

Absent or not voting: Anderson, Daily, Gilligan, Harrington, Hurwitz, Sales, Scully.
Total 7

Senate Bill No. 148 was concurred in by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gould, Hand, Harper, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Hayne, Stobie.
Total 2

Excused: Meyer, Pavlovich, Sivertsen.
Total 3

Absent or not voting: Anderson, Daily, Gilligan, Harrington, Hurwitz, Scully.
Total 6

Senate Bill No. 157 was concurred in by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Smith.
Total 1

Excused: Meyer, Pavlovich, Sivertsen.
Total 3

Absent or not voting: Anderson, Daily, Gilligan, Harrington, Hurwitz, Scully.
Total 6

REPORTS OF STANDING COMMITTEES

Do Pass

NATURAL RESOURCES (Shelden, Chairman): 3/2/79
HJR 42, do pass. Report adopted.

STATE ADMINISTRATION (Brand, Chairman): 3/2/79
SB 90, be concurred in. Report adopted.
SB 112, be concurred in. Report adopted. 3/1/79
SB 119, be concurred in. Report adopted. 3/2/79
SB 128, be concurred in. Report adopted. 3/1/79
SB 130, be concurred in. Report adopted. 3/2/79
SB 131, be concurred in. Report adopted.
SB 144, be concurred in. Report adopted. 3/1/79
SB 403, be concurred in. Report adopted.
SJR 9, be concurred in. Report adopted.

Adverse Committee Reports

STATE ADMINISTRATION (Brand, Chairman): 3/1/79
SB 170, be not concurred in.

NATURAL RESOURCES (Shelden, Chairman): 3/2/79
SB 246, be not concurred in.

SPECIAL ORDERS OF THE DAY

Consent Calendar

Questions were asked on SB 192.

Dussault moved that the House adjourn until 2:30 p.m., March 3, 1979.

Motion carried.

House adjourned at 5:11 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

FIFTIETH LEGISLATIVE DAY

Helena, Montana
March 3, 1979

House Chambers
Capitol Building

House convened at 2:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Burnett, Daily, Huennekens, Magone, Nordtvedt, Pavlovich, Ramirez, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Forty-third Legislative Day, find the same to be correct.

METCALF, Chairman

COMMUNICATIONS AND PETITIONS

Mr. Buck Harris introduced the Commencement Bay Flounders and Sea Food Conspiracy, a barbershop quartet from Tacoma, Washington, also known as "The Fish," who sang selections to the House members.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 3/3/79
Correctly printed - HJR 42.

Signed by the Speaker, 3/2/79 - SB 48.

Do Pass

APPROPRIATIONS (Bardanouve, Chairman): 3/3/79
HB 556, do pass. Report adopted.
HB 874, do pass. Report adopted.

BUSINESS AND INDUSTRY (Quilici, Chairman): 3/2/79
SB 108, be concurred in. Report adopted.

FISH AND GAME (Staigmiller, Chairman): 3/3/79
SB 6, be concurred in. Report adopted.
SB 26, be concurred in. Report adopted.
SB 35, be concurred in. Report adopted.

Adverse Committee Reports

Nathe, Moore, Fabrega, Wood, Scully, Vinger, Bengtson, Keyser, Kropp, Sivertsen objected that SB 246 was reported out of committee with a be not concurred in recommendation and requested that the bill be referred to Second Reading.

MESSAGES FROM THE OTHER HOUSE

House Joint Resolutions indefinitely postponed as amended and returned to the House: 3/2/79

House Joint Resolution No. 4, introduced by Scully

House Joint Resolution No. 8, introduced by Harrington, Johnson, Cooney, et al

House Bills concurred in and returned to the House: 3/2/79

House Bill No. 50, introduced by Sales

House Bill No. 87, introduced by Gould, Metcalf

House Bill No. 231, introduced by Ernst

House Bill No. 296, introduced by Lund

House Bills not concurred in and returned to the House: 3/2/79

House Bill No. 104, introduced by Pavlovich

House Bill No. 119, introduced by Roth, Nordtvedt, Curtiss, et al

House Bill No. 136, introduced by Daily

House Bill No. 203, introduced by Anderson, Ramirez, Scully, Lory

House Bill No. 258, introduced by Robbins, Galt

MOTIONS

Harrington moved that HB 323 be taken from Second Reading and referred to the Committee on Labor and Employment Relations. Motion carried.

Vincent moved that SB 209 be passed until the Fifty-first Legislative Day. Motion carried.

Vincent moved that the Journal reflect Johnson as excused on the Forty-eighth Legislative Day. Motion carried.

Scully moved that the rules be suspended to allow the introduction of a bill suspending the authority of the Code Commissioner for 6 years. Motion carried. (85-0)

Scully moved that the rules be suspended to allow the introduction of a joint resolution concerning the diplomatic recognition of China and Taiwan. Motion carried. (65-26)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 896, introduced by Burnett. Referred to Committee on Appropriations.
HB 897, introduced by Dussault. Referred to Committee on Appropriations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Cooney in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 62 be concurred in. (86-0)

That SB 79 be concurred in. (85-0)

That SB 90 be concurred in. (85-0)

That SB 98 be concurred in. (88-0)

That SB 112 be concurred in. (86-0)

That SB 119 be concurred in. (84-0)

That SB 128 be concurred in. (80-6)

That SB 130 be concurred in. (88-1)

Brand moved that SB 131 be moved to the bottom of the board.

That SB 144 be concurred in. (82-4)

That SB 154 be concurred in. (84-0)

That SB 193 be concurred in. (83-0)

Ramirez present at this time.

Day moved that SB 196 be passed for the day. Motion carried. (54-26)

That SB 237 be concurred in. (84-7)

That SB 251 be concurred in. Motion failed. (36-53)

That SB 251 be not concurred in. (54-35)

Cooney moved that the Committee of the Whole Report be deemed read. Motion carried.

That the Committee rise and report. (Cooney, Chairman). Report adopted. (86-3)

REPORTS OF STANDING COMMITTEES

Do Pass

LABOR AND EMPLOYMENT RELATIONS (Williams, Chairman): 3/3/79

SB 258, be concurred in. Report adopted.
SB 266, be concurred in. Report adopted.

STATE ADMINISTRATION (Brand, Chairman): 3/3/79

SB 74, be concurred in. Report adopted.
SB 123, be concurred in. Report adopted.
SB 146, be concurred in. Report adopted.
SB 213, be concurred in. Report adopted.
SB 289, be concurred in. Report adopted.
SJR 1, be concurred in. Report adopted.

Adverse Committee Reports

Keedy, Harper, Kessler, Manning, Rosenthal, Oberg, Moore, Uhde, Scully, Gilligan objected that SB 170 was reported out of committee with a be not concurred in recommendation and requested that the bill be referred to Second Reading.

SPECIAL ORDERS OF THE DAY

Questions were asked on SB 179, SB 297.

Dussault moved that the House adjourn until 3:00 p.m., March 5, 1979.

Motion carried.

House adjourned at 4:31 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

FIFTY-FIRST LEGISLATIVE DAY

Helena, Montana
March 5, 1979

House Chambers
Capitol Building

House convened at 2:59 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Huennekens, excused; Moore, South, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Forty-fourth Legislative Day, find the same to be correct.

METCALF, Chairman

COMMUNICATIONS AND PETITIONS

Representative Quilici introduced to the House members the winner of the Butte City-wide Declamation Contest, Jimmy Shea, a seventh grader from Butte. Jimmy presented to the House members excerpts from John F. Kennedy's 1961 Inaugural Address, which was his winning speech.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 3/5/79
Correctly printed - HB 556, HB 874.

Do Pass

HUMAN SERVICES (Holmes, Chairman): 3/5/79
SB 61, be concurred in. Report adopted.
SB 186, be concurred in. Report adopted.
SB 331, be concurred in. Report adopted. 2/28/79

STATEMENT OF INTENT RE: Senate Bill No. 331

It is the purpose of SB 331 to require minors to participate in premarital counseling before a marriage license and a marriage certificate form may be issued by the district court. It is the intent of the legislature that fees may not be charged for required premarital counseling. It is the intent of the legislature that the district court designate counselors for this purpose from existing resources within the community that traditionally provide counseling services such as members of the clergy, physicians, school guidance counselors, or any other resource within the community with a history of providing reputable counseling services.

/s/Holmes

SB 376, be concurred in. Report adopted. 3/5/79
SB 398, be concurred in. Report adopted.

JUDICIARY (Scully, Chairman): 3/5/79
SB 104, be concurred in. Report adopted.
SB 137, be concurred in. Report adopted.
SB 152, third reading copy, be amended as follows:

1. Page 2, line 24.
Following: "~~or~~"
Insert: "justify or"

2. Page 4, line 6.
Following: "department"

Insert: "and must be made within 10 days of the referee's recommendation"

3. Page 4, line 11.
Following: "of the"
Strike: "referee's"
Insert: "department's"

4. Page 4, line 22.
Following: "the"
Strike: "referee's written"
Insert: "department's"

And as amended, be concurred in. Report adopted.

SB 164, be concurred in. Report adopted.
SB 165, be concurred in. Report adopted.
SB 197, be concurred in. Report adopted.
SB 204, be concurred in. Report adopted.

NATURAL RESOURCES (Shelden, Chairman): 3/5/79
SB 103, be concurred in. Report adopted.

Consent Calendar

Bills passed unanimously in committee and unanimously placed on Consent Calendar:

JUDICIARY (Scully, Chairman): 3/5/79
SB 120, be concurred in. Report adopted.

NATURAL RESOURCES (Shelden, Chairman): 3/5/79
SB 118, be concurred in. Report adopted.

MESSAGES FROM THE OTHER HOUSE

Senate requested the return of the following House Joint Resolution for further consideration: 3/3/79

House Joint Resolution No. 8, introduced by Harrington, Johnson, Cooney, et al

House Bills concurred in as amended and returned to the House for concurrence in Senate Amendments: 3/3/79

House Bill No. 182, introduced by Marks

House Bill No. 185, introduced by Marks

House Bill No. 194, introduced by Manuel

House Bill No. 253, introduced by Thoft, Burnett, Frates, Roth, et al

House Bills not concurred in and returned to the House: 3/3/79

House Bill No. 464, introduced by Keyser

House Bill No. 660, introduced by Gesek, Harrington, Metcalf, et al

House Bills concurred in and returned to the House: 3/3/79

House Bill No. 79, introduced by Marks, Kvaalen, Manuel, Vincent

House Bill No. 98, introduced by Bardanouve

House Bill No. 354, introduced by Quilici, Kolstad, Lory, Towe

House Bill No. 493, introduced by Cooney

House Bill No. 495, introduced by Cooney, McBride, Vinger, Vincent, et al

House Bill No. 518, introduced by Cooney

MOTIONS

Harrington moved that the House reconsider its action taken in failing to pass SB 251 on Second Reading on the Fiftieth Legislative Day and that the House recall the bill from the Senate. Motion carried. (75-10)

Dussault moved that the House accede to the request of the Senate and return HJR 8 for further consideration. Motion carried. (89-0)

Quilici moved that SB 302 be taken from Second Reading and referred to the Committee on Rules. Motion carried. (90-2)

Day moved that the rules be suspended to allow the introduction of a committee bill concerning control of noxious weeds. Motion carried. (88-0)

Bardanouve moved that the rules be suspended to allow the introduction of a bill concerning an increase in membership of the oil conservation commission. Motion carried. (94-0)

Ellerd moved that SB 108 be taken from Second Reading and referred to the Committee on Rules. Motion failed. (34-58)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 898, (introduced by Taxation Committee), Vinger. Referred to Committee on Taxation.
HB 899, introduced by Scully. Referred to Committee on Judiciary.
HJR 51, introduced by Bertelsen. Referred to Committee on Natural Resources.
HJR 52, introduced by Scully. Referred to Committee on Judiciary.

Moore, South present at this time.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 39 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: Pistoria.

Total 1

Excused: Huennekens.
Total 1

Absent or not voting: Burnett, Moore, South.
Total 3

Senate Bill No. 55 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: Nordtvedt, Pistoria.
Total 2

Excused: Huennekens.
Total 1

Absent or not voting: Burnett, South, Wood.
Total 3

Senate Bill No. 109 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: Moore, Stobie.
Total 2

Excused: Huennekens.
Total 1

Absent or not voting: Burnett, South.
Total 2

Senate Bill No. 117 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega,

Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 91

Noes: Moore, Nordtvedt, Pistoria, Sales, Staigmiller.
Total 5

Excused: Huennekens.
Total 1

Absent or not voting: Burnett, South, Wyrick.
Total 3

Senate Bill No. 150 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: Stobie.
Total 1

Excused: Huennekens.
Total 1

Absent or not voting: Burnett, Ellis, Ellison, South.
Total 4

Senate Bill No. 175 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Staigmiller, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 84

Noes: Curtiss, Day, Feda, Hayne, Keyser, Kvaalen, Nathe, Roth, Smith, Spilker, Stobie, Underdal.

Total 12

Excused: Huennekens.
Total 1

Absent or not voting: Burnett, Meyer, South.
Total 3

Senate Bill No. 190 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Nordtvedt, Sales, Smith.
Total 3

Excused: Huennekens.
Total 1

Absent or not voting: Azzara, Burnett, South.
Total 3

Senate Bill No. 201 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Huennekens.
Total 1

Absent or not voting: Burnett, South.
Total 2

Senate Bill No. 272 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda,

Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Huennekens.
Total 1

Absent or not voting: Bennett, Burnett, South.
Total 3

Senate Bill No. 328 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Brand, Keyser, Roth, Seifert, Smith.
Total 5

Excused: Huennekens.
Total 1

Absent or not voting: South.
Total 1

Senate Joint Resolution No. 13 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, Spilker, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Wood, Yardley, Mr. Speaker.
Total 83

Noes: Ellerd, Jensen, Moore, K. Robbins, Roth, Seifert, Smith, Staigmiller, Stobie, Thoft, Vinger, Wyrick.

Total 12

Excused: Huennekens.
Total 1

Absent or not voting: Ellison, Pistoria, South, Williams.
Total 4

Senate Joint Resolution No. 17 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Scully, Seifert, Shelden, Sivertsen, Spilker, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Wood, Wyrick, Mr. Speaker.
Total 86

Noes: Bengtson, Burnett, Day, Iverson, Kvaalen, Sales, Smith, Stobie, Thoft, Yardley.
Total 10

Excused: Huennekens.
Total 1

Absent or not voting: Schultz, South, Williams.
Total 3

Consent Calendar

Senate Bill No. 297 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: Day.
Total 1

Excused: Huennekens.
Total 1

Absent or not voting: Hirsch, South, Wood.
Total 3

Senate Bill No. 179 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day,

Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Spilker, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.
Total 87

Noes: Brand, Moore, Nathe, Roth, Smith, Staigmiller, Stobie, Yardley.
Total 8

Excused: Huennekens.
Total 1

Absent or not voting: Kessler, Reichert, South, Wyrick.
Total 4

Senate Bill No. 192 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: Brand, Burnett, Manning, Thoft.
Total 4

Excused: Huennekens.
Total 1

Absent or not voting: South.
Total 1

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Feda in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HJR 42 do pass. (67-13)

That SB 6 be concurred in. (70-19)

That SB 26 be concurred in. (85-1)

That SB 35 be concurred in. (80-11)

That SB 74 be concurred in. (75-16)

That SB 108 be not concurred in. Motion failed. (33-65)

That SB 108 be concurred in. (66-31)

That SB 123 be concurred in. (72-10)

Azzara moved that SB 131 be placed at the bottom of the board. Motion carried.

That SB 146 be concurred in. (83-2)

That SB 170, third reading copy, be amended as follows: (59-12)

1. Page 2, line 5.
Following: "VOTERS"
Insert: "or labor organizations pursuant to the collective bargaining act"

2. Page 2, line 10.
Following: "ACCESS"
Insert: "either"

And as amended, pass to the bottom of the board. Motion carried.

That SB 196, third reading copy, be amended as follows: (81-2)

1. Page 2, line 4.
Following: "beginning"
Strike: "July 1"
Insert: "May 1"

And as amended, be concurred in. (90-0)

Vincent moved that SB 209 be placed below SB 255 on the board. Motion carried.

That SB 213 be concurred in. (90-0)

That SB 246, third reading copy, be amended as follows: (86-0)

1. Page 1, lines 19 through 22.
Following: line 18
Strike: material therein in its entirety
Insert: "Six members of the senate shall be appointed by the committee on committees of the senate after consultation with the majority and minority leaders of the senate. Six members of the house of representatives shall be appointed by the speaker of the house after consultation with the majority and minority leaders of the house. The appointments shall be made before the 50th legislative day of each legislative session."

And as amended, be concurred in. Motion failed. (34-61)

That SB 246, as amended, be not concurred in. (65-31)

That SB 255 be concurred in. (88-1)

That SB 209, third reading copy, be amended as follows: (86-0)

1. Page 2, line 11.
Following: "THROUGH"
Strike: "THE GRANTING OF"

And as amended, be concurred in. (87-3)

Gould excused at this time.

That SB 257 be concurred in. (85-0)

That SB 258 be concurred in. (80-2)

That SB 264 be concurred in. (80-13)

That SB 266 be concurred in. (70-13)

That SB 268 be concurred in. (81-2)

That SB 289 be concurred in. (84-0)

That SB 316 be concurred in. (84-0)

That SB 371 be concurred in. (87-1)

That SB 381 be concurred in. (88-0)

That SB 403 be concurred in. (59-36)

That SB 436 be concurred in. (90-6)

Dussault moved the Committee of the Whole Report be deemed read. Motion carried.

That the Committee rise and report. (Feda, Chairman). Report adopted. (85-6)

REPORTS OF STANDING COMMITTEES

Do Pass

BUSINESS AND INDUSTRY (Quilici, Chairman): 3/5/79

SB 70, third reading copy, be amended as follows:

1. Page 1.
Following: line 23
Insert: "(2) The provisions of this section shall apply only to those licensed motor carriers who have specifically identified the moving of buildings or certain types of buildings as an area of authorization on their present public service commission certification or to those motor carriers operating under an authority broad enough to include the moving of buildings who have been actively engaged in the business of moving buildings for a period of 2 years prior to July 1, 1979. For purposes of this subsection, a motor carrier has been actively engaged in the business of moving buildings if the moving of buildings has constituted a substantial part of his business during the 2-year period prior to July 1, 1979."
Renumber: subsequent subsection

And as amended, be concurred in. Report adopted.

SB 383, be concurred in. Report adopted.
SB 399, be concurred in. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Gilligan, Chairman): 3/5/79

SB 189, third reading copy, be amended as follows:

1. Title, line 6.
Following: "~~AGENCIES~~"
Strike: "REGIONAL"

2. Title, line 8.
Following: "TO"
Strike: "SCHOOL-AGE"
Insert: "THOSE"
Following: "CHILDREN"
Insert: "ALLOWED BY LAW"

3. Page 3, line 8.
Following: "districts"
Strike: ","
Insert: "or"

4. Page 3, line 9.
Following: "ORGANIZATIONS"
Strike: ", or"

5. Page 3, line 10.
Following: "~~agencies~~"
Strike: "REGIONAL"
Following: "~~SERVICES~~"
Strike: "SERVICE ORGANIZATIONS"

6. Page 3, line 12.
Following: "children"
Strike: "MANDATED"
Insert: "allowed"

And as amended, be concurred in. Report adopted.

SB 194, be concurred in. Report adopted.

STATE ADMINISTRATION (Brand, Chairman): 3/5/79
SB 114, be concurred in. Report adopted.
SB 115, be concurred in. Report adopted.
SB 287, be concurred in. Report adopted.
SB 375, be concurred in. Report adopted.
SB 379, be concurred in. Report adopted.

Consent Calendar

Bill passed unanimously in committee and unanimously placed on Consent Calendar:

BUSINESS AND INDUSTRY (Quilici, Chairman): 3/5/79
SB 101, be concurred in. Report adopted.

MOTIONS

Brand moved that SB 112 be taken from Reference Printing and referred to the Committee on State Administration. Motion carried. (87-0)

Dussault moved that the House adjourn until 3:00 p.m., March 6, 1979.

Motion carried.

House adjourned at 6:50 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

FIFTY-SECOND LEGISLATIVE DAY

Helena, Montana
March 6, 1979

House Chambers
Capitol Building

House convened at 2:59 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Azzara, Bennett, Dussault, Fabrega, Hemstad, Holmes, Huennekens, Rosenthal, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Forty-fifth, Forty-sixth, Forty-seventh and Forty-eighth Legislative Days, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

Do Pass

BUSINESS AND INDUSTRY (Quilici, Chairman): 3/6/79
SB 421, be concurred in. Report adopted.
SB 427, be concurred in. Report adopted.
SB 466, be concurred in. Report adopted.
SB 498, third reading copy, second printing, be amended as follows:

1. Page 6, lines 11 and 12.
Following: line 10
Strike: subsection (4) in its entirety

2. Page 6, line 24.
Following: "the"
Strike: "permanent"

3. Page 9, lines 1 and 2.
Following: "building"
Insert: "which the state or any political subdivision thereof maintains"

4. Page 9, line 3.
Following: line 2
Strike: "maintained"

5. Page 9, lines 11 through 14.
Following: "board."
Insert: "The examination must be in substantial conformance with the standard national council of architectural registration boards examination and grading procedure, except as modified by board rules."

6. Page 9, lines 14 through 20.
Following: "~~rule.~~"
Strike: remainder of lines 14 through 20

And as amended, be concurred in. Report adopted.

TAXATION (Huennekens, Chairman): 3/6/79
HB 573, introduced bill, be amended as follows:

1. Title, lines 4, 5 and 6.

Following: "TO"
Strike: "REQUIRE THE DEPARTMENT OF REVENUE TO INCLUDE A BRIEF DESCRIPTION OF THE ITEMIZED"
Insert: "PROVIDE AN INDIVIDUAL INCOME TAX"

2. Title, lines 7, 8, 9.
Following: "STRUCTURES"
Strike: "IN THE TAX RETURN FORMS AND INSTRUCTIONS MADE AVAILABLE TO TAXPAYERS EACH YEAR"

3. Title, line 9.
Following: "AMENDING"
Strike: "SECTION"
Insert: "SECTIONS 15-30-111 AND"
Following: "MCA"
Insert: "; PROVIDING AN EFFECTIVE DATE"

4. Page 1, line 14.
Following: "income."
Strike: "(1)"

5. Page 1, line 16.
Following: "~~(1)~~"
Strike: "(a)"
Insert: "(1)"

6. Page 1, line 20.
Following: "~~(a)~~"
Strike: "(i)"
Insert: "(a)"

7. Page 1, line 21.
Following: "~~(b)~~"
Strike: "(ii)"
Insert: "(b)"

8. Page 1, line 22.
Following: "~~(2)~~"
Strike: "(b)"
Insert: "(2)"

9. Page 1, line 24.
Following: "~~(3)~~"
Strike: "(c)"
Insert: "(3)"

10. Page 2, line 3.
Following: "~~(4)~~"
Strike: "(d)"
Insert: "(4)"

11. Page 2, line 4.
Following: "15-32-103"
Strike: "."
Insert: "; and"

12. Page 2.
Following: line 4
Insert: "(5) expenses incurred in rehabilitating certified historic structures as provided in [section 3]."

13. Page 2, lines 5 through 10.
Strike: subsection (2) in its entirety

14. Page 2.
Following: line 10
Insert: "SECTION 2. SECTION 15-30-111, MCA IS AMENDED TO READ:

'15-30-111. Adjusted gross income. (1) Adjusted gross income shall be the taxpayer's federal tax adjusted gross income as defined in section 62 of the Internal Revenue Code of 1954 or as that section may be labeled or amended and in addition shall include the following:

(a) interest received on obligations of another state or territory or county, municipality, district, or other political subdivision thereof;

(b) refunds received of federal income tax, to the extent the deduction of such tax resulted in a reduction of Montana income tax liability;

(c) deductions allowed under section 191 of the Internal Revenue Code of 1954, as amended, if the deduction allowed in section 3 is claimed.

(2) Adjusted gross income does not include the following which are exempt from taxation under this chapter:

(a) interest income from obligations of the United States government, the state of Montana, county, municipality, district, or other political subdivision thereof;

(b) all benefits received under the Federal Employees' Retirement Act not in excess of $3,600;

(c) all benefits paid under the teachers' retirement law which are specified as exempt from taxation by 19-4-706;

(d) all benefits paid under The Public Employees' Retirement System Act which are specified as exempt from taxation by 19-3-105;

(e) all benefits paid under the highway patrol retirement law which are specified as exempt from taxation by 19-6-705;

(f) all Montana income tax refunds or credits thereof;

(g) all benefits paid under 19-11-602, 19-11-604, and 19-11-605 to retired and disabled firefighters, their surviving spouses and orphans;

(h) all benefits paid by first- or second-class cities for the policemen's retirement system provided for by Title 19, chapter 9.

(3) In the case of a shareholder of a corporation with respect to which the election provided for under subchapter S. of the Internal Revenue Code of 1954, as amended, is in effect but with respect to which the election provided for under 15-31-202, as amended, is not in effect, adjusted gross income does not include any part of the corporation's undistributed taxable income, net operating loss, capital gains or other gains, profits, or losses required to be included in the shareholder's federal income tax adjusted gross income by reason of the said election under subchapter S. However, the shareholder's adjusted gross income shall include actual distributions from the corporation to the extent they would be treated as taxable dividends if the subchapter S. election were not in effect.'

SECTION 3. THERE IS A NEW MCA SECTION THAT READS:

Deduction for expenses for rehabilitating certain historic structures. (1) Approved expenses incurred during a taxable year in rehabilitating an historic structure certified by the Montana historic society historic preservation office may be deducted in computing net income.

(2) (a) 'Approved expenses' are any expenses for material or labor meeting the standards established in rules published by the Montana historic society.

(b) 'Certified historic structures' are those structures certified by the historic preservation office as:

(i) listed on the national register; or

(ii) located in a registered historic district and of historic significance to the district.

(3) To claim this deduction, the taxpayer must:

(a) secure a statement from the historic preservation office that the structure is certified; and

(b) file a copy of this statement and a list of the approved expenses claimed as deductions when filing his income tax return.

(4) The Montana historic society shall publish rules establishing:

(a) criteria and procedures for certifying historic structures; and

(b) criteria for and examples of approved expenses for rehabilitating historic structures.

(5) If a taxpayer claims a deduction under this section, he may not claim the deduction allowed in section 191 of the Internal Revenue Codes of 1954, as amended.

Section 4. Effective and applicability date. This act is effective on passage and approval and applies to taxable years beginning after December 31, 1978."

And as amended, do pass. Report adopted.

STATEMENT OF INTENT RE: House Bill No. 573

A Statement of Intent is required for this bill because rule-making authority is delegated to the Montana Historical Society in section (3).

This bill allows a deduction in computing net income for the purposes of the Montana income tax for approved expenses used to rehabilitate certified historical structures.

The Historical Society is granted rule-making authority to establish procedures for the certification of historical structures and to establish approved methods of rehabilitating historical structures. It is intended that the Historical Society adopt rules similar to and in conformity with rules promulgated by the United States Department of Interior for historical preservation certificates pursuant to the Tax Reform Act of 1976, 36 C.F.R., Part 67.

/s/Huennekens

Consent Calendar

Bill unanimously passed in committee and unanimously placed on Consent Calendar:

BUSINESS AND INDUSTRY (Quilici, Chairman): 3/6/79
SB 408, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

JOINT CONFERENCE COMMITTEE
ON SENATE BILL NO. 78
Report No. 1, March 5, 1979

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Bill No. 78, met on March 5, 1979, and considered House Committee on Judiciary Amendments dated January 25, 1979, third reading bill, and recommend as follows:

That the Senate accedes to amendment numbers 1, 2, 3.

CLERICAL INSTRUCTIONS:

Senate Bill No. 78, reference bill, is unchanged.

And that the Conference Committee Report to Senate Bill No. 78 be adopted.

FOR THE HOUSE:	FOR THE SENATE:
SCULLY	TURNAGE
LORY	B. BROWN
KEEDY	VAN VALKENBURG

MESSAGES FROM THE OTHER HOUSE

House Bill and House Joint Resolution indefinitely postponed and returned to the House: 3/5/79

House Bill No. 551, introduced by Jensen, Ellison, Nathe, et al

House Joint Resolution No. 31, introduced by Feda

House Bills passed on Third Reading Consent Calendar and returned to the House: 3/5/79

House Bill No. 16, introduced by Quilici

House Bill No. 92, introduced by H. Robbins

House Bill not concurred in and returned to the House: 3/5/79

House Bill No. 310, introduced by Ramirez

House Bills concurred in as amended and returned to the House for concurrence in Senate Amendments: 3/5/79

House Bill No. 91, introduced by Pistoria, Manning

House Bill No. 163, introduced by Metcalf

House Bills and House Joint Resolutions concurred in and returned to the House: 3/5/79

House Bill No. 72, introduced by Reichert

House Bill No. 128, introduced by Harrington

House Bill No. 133, introduced by Eudaily

House Bill No. 184, introduced by Marks

House Bill No. 226, introduced by Conroy

House Joint Resolution No. 10, introduced by Fabrega, Huennekens, Moore, et al

House Joint Resolution No. 16, introduced by Gerke, Dussault, Kanduch, et al

MOTIONS

Curtiss moved that SJR 14, presently on Second Reading, pass consideration for the day for the purpose of amendment. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 900, introduced by Bardanouve, Kvaalen, Vincent, Nathe. Referred to Committee on State Administration.

HB 901, introduced by Harper, Frates, Seifert, Kropp, Dozier, Staigmiller, Burnett, Wyrick, Roth, Keyser, Curtiss, Lien, O'Connell, Hand, Conroy, Uhde, Teague, Gesek, Pistoria, Rosenthal, Day, H. Robbins, Harrington, Cooney, Menahan, Magone, Kanduch, Pavlovich, Daily, Manning, Azzara, Fabrega, Quilici. Referred to Committee on Appropriations.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 62 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 87

Noes: None.
Total 0

Excused: Azzara, Bennett, Dussault, Fabrega, Hemstad, Holmes, Huennekens, Rosenthal.
Total 8

Absent or not voting: Bardanouve, Keedy, Lund, Menahan, Oberg.
Total 5

Senate Bill No. 79 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis,

Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: None.
Total 0

Excused: Azzara, Bennett, Dussault, Fabrega, Hemstad, Holmes, Huennekens, Rosenthal.
Total 8

Absent or not voting: Bardanouve, Hurwitz, Oberg.
Total 3

Senate Bill No. 90 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: None.
Total 0

Excused: Azzara, Bennett, Dussault, Fabrega, Hemstad, Holmes, Huennekens, Rosenthal.
Total 8

Absent or not voting: Bardanouve, Oberg.
Total 2

Senate Bill No. 98 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: None.

Total 0

Excused: Azzara, Bennett, Dussault, Fabrega, Hemstad, Holmes, Huennekens, Rosenthal.
Total 8

Absent or not voting: Bardanouve.
Total 1

Senate Bill No. 119 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Azzara, Bennett, Dussault, Fabrega, Hemstad, Holmes, Huennekens, Rosenthal.
Total 8

Absent or not voting: Bardanouve.
Total 1

Senate Bill No. 128 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 82

Noes: Johnson, Keedy, Nordtvedt, Oberg, Roth, Uhde, Vinger, Yardley.
Total 8

Excused: Azzara, Bennett, Dussault, Fabrega, Hemstad, Holmes, Huennekens, Rosenthal.
Total 8

Absent or not voting: Bardanouve, Scully.
Total 2

Senate Bill No. 130 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis,

Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Azzara, Bennett, Dussault, Fabrega, Hemstad, Holmes, Huennekens, Rosenthal.
Total 8

Absent or not voting: Bardanouve.
Total 1

Senate Bill No. 144 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Hurwitz, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, Roth, Shelden, Sivertsen, South, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 73

Noes: Burnett, Iverson, Keedy, Keyser, Moore, Pistoria, K. Robbins, Sales, Scully, Seifert, Smith, Spilker, Staigmiller, Stobie, Thoft, Vinger.
Total 16

Excused: Azzara, Bennett, Dussault, Fabrega, Hemstad, Holmes, Huennekens, Rosenthal.
Total 8

Absent or not voting: Bardanouve, Meyer, Schultz.
Total 3

Senate Bill No. 154 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ernst, Eudaily, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 85

Noes: Ellison, Feda, Moore, Roth, Vinger.
Total 5

Excused: Azzara, Bennett, Dussault, Fabrega, Hemstad, Holmes, Huennekens, Rosenthal.
Total 8

Absent or not voting: Bardanouve, Pistoria.
Total 2

Senate Bill No. 193 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Scully, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Daily.
Total 1

Excused: Azzara, Bennett, Dussault, Fabrega, Hemstad, Holmes, Huennekens, Rosenthal.
Total 8

Absent or not voting: Bardanouve, Sivertsen.
Total 2

Senate Bill No. 237 was concurred in by the following vote:

Ayes: Baeth, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Reichert, H. Robbins, Roth, Scully, Shelden, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vinger, Waldron, Williams, Yardley, Mr. Speaker.
Total 73

Noes: Anderson, Jensen, Keyser, Kropp, Kvaalen, Marks, Quilici, Ramirez, K. Robbins, Sales, Schultz, Seifert, Sivertsen, Smith, Staigmiller, Vincent, Wood, Wyrick.
Total 18

Excused: Azzara, Bennett, Dussault, Fabrega, Hemstad, Holmes, Huennekens, Rosenthal.
Total 8

Absent or not voting: Bardanouve.
Total 1

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Vincent moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Teague in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Bennett, Dussault, Fabrega, Hemstad, Rosenthal present at this time.

That SJR 1, third reading copy, be amended as follows: (86-0)

1. Page 2, line 3.
Following: "parties"
Strike: "; and"
Insert: "."

2. Page 2, lines 4 through 15.
Strike: lines 4 through 15 in their entirety

3. Page 3, lines 4 through 10.
Strike: lines 4 through 10 in their entirety

And as amended, be concurred in. (86-2)

That SJR 9 be concurred in. (85-0)

That SJR 24 be concurred in. (88-0)

O'Connell moved that SB 131 be placed at the bottom of the board. Motion carried.

Baeth moved that SB 170 be placed at the bottom of the board. Motion carried.

Holmes present at this time.

That HB 556 do pass. (83-0)

Azzara present at this time.

That HB 874 do pass. (93-0)

That SB 61 be concurred in. (64-28)

Ellerd moved that SB 70 be placed at the bottom of the board. Motion carried.

That SB 103 be concurred in. (83-3)

That SB 104 be concurred in. (75-5)

That SB 114 be concurred in. (87-0)

That SB 115 be concurred in. (81-0)

That SB 137 be concurred in. (80-3)

That SB 152 be concurred in. (89-0)

That SB 164 be concurred in. (79-5)

That SB 165 be concurred in. (84-2)

That SB 186 be concurred in. (85-1)

That SB 189 be concurred in. (86-0)

That SB 194 be concurred in. (77-15)

That SB 197 be concurred in. (90-0)

That SB 204 be concurred in. (90-0)

That SB 287 be concurred in. (85-5)

That SB 331 be concurred in. (76-14)

That SB 375 be concurred in. (91-1)

That SB 376 be concurred in. (65-21)

House recessed at 5:25 p.m.

House reconvened at 5:31 p.m.

That SB 379 be concurred in. (80-1)

That SB 383 be concurred in. (82-0)

That SB 398 be concurred in. (80-6)

That SB 399 be concurred in. (83-7)

That SB 131 be concurred in. (76-13)

Baeth moved that SB 170 pass consideration for the day. Motion carried.

That SB 70 be concurred in. (84-7)

That SA to HB 182 be concurred in. (86-0)

That SA to HB 185 be concurred in. (86-0)

That SA to HB 194 be concurred in. (82-0)

Thoft moved that SA to HB 253 pass consideration for the day. Motion carried.

Dussault moved that the committee report be deemed read. Motion carried.

That the Committee rise and report. Bennett moved that SB 376 be segregated from the Committee of the Whole Report. Motion carried. (92-0) Conroy then moved that SJR 1 be segregated from the Committee of the Whole Report. Motion carried. (94-0) Report adopted as amended. (92-2)

REPORTS OF STANDING COMMITTEES

Dussault moved that all printing reports and Standing Committee Reports with a do pass recommendation be deemed read. Motion carried.

BILLS (Metcalf, Chairman): 3/6/79

Will be signed by the Speaker on adjournment, 3/6/79 - HB 50, HB 87, HB 159, HB 192, HB 202, HB 231, HB 296, SB 29, SB 52, SB 77, SB 140.

Correctly enrolled - HB 50, HB 87, HB 159, HB 192, HB 202, HB 231, HB 296.

Examined by the Sponsor and found to be correct - HB 50, HB 87, HB 159, HB 192, HB 202, HB 231, HB 296.

Considered correctly engrossed - HJR 42.

Do Pass

AGRICULTURE, LIVESTOCK AND IRRIGATION (Day, Chairman): 3/5/79

SJR 10, be concurred in. Report adopted.
SJR 22, be concurred in. Report adopted.
SJR 26, be concurred in. Report adopted.

APPROPRIATIONS (Bardanouve, Chairman): 3/6/79

HB 317, introduced bill, be amended as follows:

1. Page 1, line 15.
Following: "Montana"
Strike: "$800,000"
Insert: "$1,016,000"

2. Page 1, line 16.
Following: "Prison"
Strike: "$50,000"
Insert: "$30,000"

3. Page 1.
Following: line 16
Insert: "(3) New Boys' Lodge - Pine Hills $20,000
(4) Renovate Crockett-Terrill, Galen 100,000
(5) Renovate Hospital, Boulder 75,000
(6) Construct Physical Plant, EMC 62,000
(7) Eastmont Furnishings 34,000"

And as amended, do pass. Report adopted.

HB 416, introduced bill, be amended as follows:

1. Pages 1 through 5.
Strike: all of the bill following the enacting clause
Insert: "Section 1. Time limit. The appropriations contained in this act are intended to provide only necessary and ordinary expenditures for the year for which the appropriations are made. The unspent balance of any appropriation shall revert to the fund from which it was appropriated.

Section 2. Governor's power to reduce appropriations. The governor may reduce any appropriation in this act by not more than 15%.

Section 3. Other appropriated funds. Unless otherwise indicated herein, the appropriations made under the column heading, "Other Appropriated Funds", are from funds within the earmarked revenue funds, the federal and private revenue fund, and the revolving fund that accrue under provisions of law to the spending agency.

Section 4. Totals not appropriations. The totals shown in this act are for informational purposes only and are not appropriations.

Section 5. Appropriations. The following money is appropriated subject to the terms and conditions of this act for the fiscal year ending June 30, 1979:

	Fiscal 1979	
	General Fund	Other Appropriated Funds
DEPARTMENT OF INSTITUTIONS		
Central Office		
Alcohol and Drug Abuse Division		$228,483

Eastmont Training Center	$ 8,954	
Swan River Youth Forest Camp	140,242	
Veterans' Home	21,188	
Pine Hills School	25,265	
Children's Center	50,869	
DEPARTMENT OF ADMINISTRATION		
State Tax Appeals Board	58,000	
Transportation of Prisoners	5,000	
Emergency and Disaster	750,000	
Accounting Division	295,000	
DEPARTMENT OF JUSTICE		
Coal Tax Defense	75,000	
Law Enforcement Academy	19,268	
JUDICIARY		
District Courts	122,338	
SECRETARY OF STATE	105,065	
DEPARTMENT OF NATURAL RESOURCES		
Fire Suppression	554,440	
DEPARTMENT OF EDUCATION		
Library Commission		17,474
Montana State University		
Personal Services	95,000	
Operations	249,421	

The fiscal 1979 current unrestricted subfund legislative appropriation to Montana State University total $23,629,433. Notwithstanding any other provision of law, this current unrestricted subfund expenditure level may not be exceeded except by student tuition and fee revenue collected for fiscal 1979 in excess of $5,001,240.

DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES		
Environmental Health	50,000	

In addition to the above appropriation, $132,000 of general fund appropriated to the department for the fiscal year ending June 30, 1978 is reappropriated for the fiscal year ending June 30, 1979 and $85,000 received under provisions of 15-38-104, MCA, appropriated to the department for the fiscal year ending June 30, 1978 is reappropriated for fiscal year ending June 30, 1979.

DEPARTMENT OF COMMUNITY AFFAIRS		
Matching Funds for Flood Relief	29,929	
Reimbursement for Governor's		
Travel	45,221	
Totals	$2,700,200	$245,957"

And as amended, do pass. Report adopted.

FISH AND GAME (Staigmiller, Chairman): 3/6/79

SB 134, third reading copy, be amended as follows:

1. Page 1, line 15.
Following: "purchase"
Insert: "a"
Following: "deer"
Strike: "and"
Insert: "or"

2. Page 1, line 16.
Following: line 15
Strike: "licenses"
Insert: "license"

3. Page 1, line 17.
Following: "such"
Strike: "licenses"
Insert: "license"

And as amended, be concurred in. Report adopted.

SB 227, third reading copy, be amended as follows:

1. Title, line 9.
Following: "ACQUISITIONS"
Insert: "IN FEE"

2. Page 1, line 15.
Following: "for"
Strike: "approval"
Insert: "review"

3. Page 1, line 17.
Following: "acquisitions"
Insert: "in fee"

4. Page 3, line 1.
Following: line 25 on page 2
Insert: "Section 3. Codification. This act is intended to be codified as an integral part of Title 87, chapter 1, part 7, and the provisions contained in Title 87, chapter 1, part 7, apply to this act."
Renumber: subsequent section

And as amended, be concurred in. Report adopted.

SB 342, third reading copy, be amended as follows:

1. Page 3.
Following: line 4
Insert: "Section 4. Codification. Sections 2 and 3 are intended to be codified as an integral part of Title 87, chapter 2, part 6, and the provisions contained in Title 87, chapter 2, part 6, apply to sections 2 and 3."

And as amended, be concurred in. Report adopted.

JUDICIARY (Scully, Chairman): 3/6/79
SB 153, be concurred in. Report adopted.
SB 215, third reading copy, be amended as follows:

1. Title, line 5.
Following: "THAN"
Strike: "12"
Insert: "14"

2. Page 2, line 2.
Following: "(2)"
Strike: "A"
Insert: "Except as provided in subsection (3), a"

3. Page 2, line 5.
Following: "than"
Strike: "12"

Insert: "14"

And as amended, be concurred in. Report adopted.

SB 278, third reading copy, be amended as follows:

1. Page 3, line 18.
Strike: "apprehending or"

2. Page 4.
Following: line 9
Insert: "(d) This subsection (3) does not apply to apprehensions, arrests, or statements involving a violation of the traffic laws of Montana."

3. Page 6, line 10.
Following: "appointed"
Strike: "by a court"
Insert: "in a criminal proceeding"

4. Page 6, line 16.
Following: line 15
Strike: "initiates a request for"
Insert: "requests"

And as amended, be concurred in. Report adopted.

SB 281, be concurred in. Report adopted.
SB 293, be concurred in. Report adopted.
SB 341, third reading copy, be amended as follows:

1. Page 2, line 9.
Following: "of the"
Insert: "monthly"

And as amended, be concurred in. Report adopted.

SB 382, be concurred in. Report adopted.
SB 423, be concurred in. Report adopted.

LOCAL GOVERNMENT (H. Robbins, Chairman): 3/6/79
SB 305, third reading copy, be amended as follows:

1. Title, line 9.
Following: "REPEALING"
Insert: "SECTION 16-1008, R.C.M. 1947, AND"

2. Page 10, line 8.
Following: "Section"
Insert: "16-1008, R.C.M. 1947, and section"
Following: "MCA,"
Strike: "is"
Insert: "are"

And as amended, be concurred in. Report adopted.

SB 307, be concurred in. Report adopted.
SB 310, be concurred in. Report adopted.
SB 314, be concurred in. Report adopted.
SB 332, be concurred in. Report adopted.
SB 333, be concurred in. Report adopted.
SB 334, be concurred in. Report adopted.
SB 335, third reading copy, be amended as follows:

1. Page 11.

Following: line 17
Insert: "(6) instruments describing or relating to the individual property of married persons;"
Renumber: all subsequent subsections

2. Page 17.
Following: line 1
Insert: "(20) an index of the individual property of married persons labeled 'individual property of married persons' with each page divided into five columns headed respectively: 'Names of married persons', 'Names of their spouses', 'Nature of instruments recorded', 'When recorded', and 'Where recorded';"
Renumber: all subsequent subsections

And as amended, be concurred in. Report adopted.

SB 336, be concurred in. Report adopted.
SB 337, be concurred in. Report adopted.
SB 338, be concurred in. Report adopted.
SB 339, be concurred in. Report adopted.
SB 340, be concurred in. Report adopted.
SB 350, be concurred in. Report adopted.

STATE ADMINISTRATION (Brand, Chairman): 3/6/79
SB 212, be concurred in. Report adopted.
SB 344, be concurred in. Report adopted.
SB 395, third reading copy, be amended as follows:

1. Page 1, line 13.
Following: "13-35-227."
Strike: "Contributions"
Insert: "Prohibited contributions"

2. Page 1, line 14.
Following: "~~others~~"
Strike: "prohibited"

And as amended, be concurred in. Report adopted.

Adverse Committee Reports

AGRICULTURE, LIVESTOCK AND IRRIGATION (Day, Chairman): 3/5/79
SB 465, be not concurred in.

FISH AND GAME (Staigmiller, Chairman): 3/6/79
SB 501, be not concurred in.

JUDICIARY (Scully, Chairman): 3/6/79
SB 86, be not concurred in.
SB 296, be not concurred in.

LOCAL GOVERNMENT (H. Robbins, Chairman): 3/6/79
SB 308, be not concurred in.

STATE ADMINISTRATION (Brand, Chairman): 3/6/79
SB 442, be not concurred in.

TAXATION (Huennekens, Chairman): 3/6/79
HB 524, do not pass.

MESSAGES FROM THE OTHER HOUSE

The Senate on 3/6/79, acceded to the request for the return of Senate Bill No. 251 and is returning said bill to the House for further consideration.

MOTIONS

Conroy moved that SJR 1 be placed on Second Reading for the purpose of an amendment. Motion carried. (85-0)

Bennett moved that SB 376 be placed on Second Reading for the purpose of amendment. Motion carried. (83-0)

Dussault moved that SB 306 be rereferred from the Committee on Local Government to the Committee on Taxation. Motion carried.

Dussault moved that SB 164 be taken from Third Reading and referred to the Committee on Appropriations. Motion carried.

SPECIAL ORDERS OF THE DAY

Consent Calendar

Questions were asked on SB 101, SB 118, SB 120.

Dussault moved that the House adjourn until 3:00 p.m., March 7, 1979.

Motion carried.

House adjourned at 6:31 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

FIFTY-THIRD LEGISLATIVE DAY

Helena, Montana
March 7, 1979

House Chambers
Capitol Building

House convened at 2:59 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Dussault, Holmes, Huennekens, excused; Fagg, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Forty-ninth and Fiftieth Legislative Days, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 3/7/79

Considered correctly engrossed - HB 556, HB 874.

Signed by the Speaker on adjournment, 3/6/79 - HB 50, HB 87, HB 159, HB 192, HB 202, HB 231, HB 296, SB 29, SB 52, SB 77, SB 140.

Adverse Committee Reports

Kemmis, Nathe, Reichert, Moore, Lund, Manning, Vinger, Harper, Dozier, Feda objected that SB 296 was reported out of committee with a be not concurred in recommendation and requested that the bill be referred to Second Reading.

Brand, McBride, Harrington, Baeth, Cooney, Uhde, Johnson, Magone, Quilici, Tropila objected that SB 442 was reported out of committee with a be not concurred in recommendation and requested that the bill be referred to Second Reading.

MESSAGES FROM THE OTHER HOUSE

House Bills and House Joint Resolution concurred in and returned to the House: 3/6/79

House Bill No. 70, introduced by Lien

House Bill No. 232, introduced by Dozier

House Bill No. 279, introduced by Ellerd, Conroy

House Bill No. 300, introduced by Quilici, Menahan, Daily, et al

House Bill No. 605, introduced by McBride, Kanduch, et al

House Bill No. 676, introduced by Nathe

House Bill No. 709, introduced by Underdal

House Joint Resolution No. 32, introduced by Eudaily, Lory

House Amendments to Senate Bills concurred in: 3/6/79

House Amendments to Senate Bill No. 68, introduced by Galt, et al

House Amendments to Senate Bill No. 141, introduced by Mehrens, Peterson, et al

House Bills concurred in as amended and returned to the House for concurrence in Senate Amendments: 3/6/79

House Bill No. 100, introduced by Keyser, Lund, Donaldson, et al

House Bill No. 431, introduced by Day, Bengtson, Ramirez, et al

House Bills not concurred in and returned to the House: 3/6/79

House Bill No. 250, introduced by Stobie, Tropila, Feda, et al

House Bill No. 396, introduced by Keedy, Ramirez, Kessler, et al

House Bill No. 401, introduced by Harper, Keedy, Kemmis, Yardley

House Bill No. 539, introduced by Gilligan, Scully

House Bill No. 569, introduced by Iverson, Keyser

House Bill No. 580, introduced by Fagg, Uhde, Gould

House Bill No. 602, introduced by Sivertsen

House Bill passed on Third Reading Consent Calendar and returned to the House: 3/6/79

House Bill No. 39, introduced by Manuel

House Bills indefinitely postponed and returned to the House: 3/6/79

House Bill No. 189, introduced by Keyser, Pavlovich

House Bill No. 358, introduced by Curtiss, Conroy, Wyrick, et al

House Bill No. 791, introduced by Nathe, Feda

MOTIONS

Anderson moved that SJR 14 be taken from Second Reading and referred to the Committee on Agriculture, Livestock and Irrigation. Motion carried.

Baeth moved that SB 170 be taken from Second Reading and referred to the Committee on State Administration. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 902, introduced by Conroy. Referred to Committee on Appropriations.

HB 903, introduced by Moore, Bardanouve. Referred to Committee on Appropriations.

HB 904, introduced by Gould, Ellis, Eudaily, Lory, Dussault, Azzara, Kemmis, Waldron, Stobie, Magone, Van Valkenburg, Norman, Palmer, Watt, Bertelsen, K. Robbins. Referred to Committee on Appropriations.

HJR 53, (introduced by House Agriculture Committee), Day, Chairman. Referred to Committee on Agriculture, Livestock and Irrigation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Vincent moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Harper in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Cooney moved that SB 251 be placed below SJR 1. Motion carried.

That SB 376, third reading copy, be amended as follows: (79-7)

1. Page 2, lines 8 and 9.
Following: "returned"
Strike: "to"
Insert: "at the discretion of"
Following: "the department"
Strike: "and, UNTIL FULLY PAID, is a debt due the state"

And as amended, be concurred in. (69-17)

That SJR 1, third reading copy, be amended as follows: (80-0)

1. Page 2, lines 19 and 20.
Following: "That"
Strike: ", with the prior approval of the Committee on Priorities,"

2. Page 3, lines 24 and 25.
Following: "committee"
Strike: ", subject to approval by the Committee on Priorities"

And as amended, be concurred in. (83-1)

Dussault, Fagg, Holmes present at this time.

That SB 251 be concurred in. (61-32)

That the Committee rise and report and beg leave to sit again. (Harper, Chairman). Report adopted. (82-4)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Joint Resolution No. 42 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Holmes, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Scully, Shelden, Sivertsen, Staigmiller, Teague, Thoft, Tropila, Uhde, Vincent, Williams, Wood, Yardley, Mr. Speaker.
Total 76

Noes: Bengtson, Burnett, Ellison, Ernst, Feda, Hand, Hirsch, Jensen, Kropp, Marks, Roth, Schultz, Seifert, Smith, Spilker, Stobie, Underdal, Vinger, Wyrick.
Total 19

Excused: Huennekens.
Total 1

Absent or not voting: Azzara, Day, South, Waldron.
Total 4

Senate Bill No. 6 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 86

Noes: Curtiss, Feda, Magone, Meyer, Nathe, K. Robbins, Smith, Underdal, Vinger.
Total 9

Excused: Huennekens.
Total 1

Absent or not voting: Azzara, South, Stobie, Waldron.
Total 4

Senate Bill No. 26 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Curtiss, Daily, Johnston, Moore, H. Robbins, Smith.
Total 6

Excused: Huennekens.
Total 1

Absent or not voting: Azzara, South, Waldron.
Total 3

Senate Bill No. 35 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hirsch, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal,

Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Williams, Wyrick, Yardley, Mr. Speaker.
Total 82

Noes: Fabrega, Hayne, Hemstad, Holmes, Jensen, Kemmis, Meyer, Moore, Pistoria, Roth, Smith, Underdal, Vinger, Wood.
Total 14

Excused: Huennekens.
Total 1

Absent or not voting: Azzara, South, Waldron.
Total 3

Senate Bill No. 74 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Bardanouve, Bengtson, Kemmis, Magone, Manning.
Total 5

Excused: Huennekens.
Total 1

Absent or not voting: Azzara, Scully, Shelden, South, Waldron.
Total 5

Senate Bill No. 108 was concurred in by the following vote:

Ayes: Baeth, Bardanouve, Bengtson, Brand, Conroy, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Huennekens, Iverson, Johnson, Johnston, Kanduch, Keedy, Kessler, Keyser, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Scully, Seifert, Sivertsen, Spilker, Stobie, Teague, Tropila, Williams, Mr. Speaker.
Total 61

Noes: Anderson, Bennett, Bertelsen, Burnett, Curtiss, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Feda, Hayne, Hurwitz, Jensen, Kemmis, Kropp, Kvaalen, Lund, Metcalf, Nordtvedt, Pistoria, Roth, Sales, Schultz, Shelden, Smith, Staigmiller, Thoft, Uhde, Underdal, Vincent, Vinger, Wood, Wyrick, Yardley.
Total 35

Paired: Huennekens, Aye; Nordtvedt, No.

Excused: None.
Total 0

Absent or not voting: Azzara, Holmes, South, Waldron.

Total 4

Senate Bill No. 123 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hemstad, Hirsch, Holmes, Hurwitz, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Seifert, Shelden, Sivertsen, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 77

Noes: Burnett, Curtiss, Day, Ernst, Feda, Harper, Hayne, Iverson, Jensen, Johnson, Keyser, Kropp, Nathe, Nordtvedt, Roth, Smith, Stobie, Vinger.
Total 18

Excused: Huennekens.
Total 1

Absent or not voting: Azzara, Scully, South, Waldron.
Total 4

Senate Bill No. 146 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Seifert, Shelden, Sivertsen, Spilker, Staigmiller, Stobie, Teague, Thoft, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Sales, Smith.
Total 2

Excused: Huennekens.
Total 1

Absent or not voting: Azzara, Kemmis, Roth, Scully, South, Tropila, Waldron.
Total 7

Senate Bill No. 196 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales,

Schultz, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Brand, Jensen, Nordtvedt, Seifert.
Total 4

Excused: Huennekens.
Total 1

Absent or not voting: Azzara, Scully, South, Waldron.
Total 4

Senate Bill No. 209 was concurred in by the following vote:

Ayes: Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Anderson, Ellerd, Keedy, Smith, Vinger.
Total 5

Excused: Huennekens.
Total 1

Absent or not voting: Azzara, South, Waldron.
Total 3

Senate Bill No. 213 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Huennekens.
Total 1

Absent or not voting: Azzara, Burnett, Pistoria, H. Robbins, South.
Total 5

Senate Bill No. 255 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Huennekens.
Total 1

Absent or not voting: Azzara, Bardanouve, Scully, South, Tropila.
Total 5

Senate Bill No. 257 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: None.
Total 0

Excused: Huennekens.
Total 1

Absent or not voting: Azzara, Bardanouve, Keedy, Kessler, Porter, Shelden, South.
Total 7

Senate Bill No. 258 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Rosenthal, Roth,

Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Sales.
Total 1

Excused: Huennekens.
Total 1

Absent or not voting: Azzara, Bardanouve, Reichert, South, Tropila.
Total 5

Senate Bill No. 264 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Spilker, Staigmiller, Thoft, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 84

Noes: Ellison, Hayne, Keyser, Magone, Seifert, Smith, Stobie, Teague, Uhde.
Total 9

Excused: Huennekens.
Total 1

Absent or not voting: Azzara, Bardanouve, K. Robbins, Scully, South, Tropila.
Total 6

Senate Bill No. 266 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Shelden, Sivertsen, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 83

Noes: Burnett, Ellerd, Iverson, Keyser, Moore, O'Connell, Roth, Seifert, Smith, Staigmiller, Underdal, Vinger, Yardley.
Total 13

Excused: Huennekens.
Total 1

Absent or not voting: Bardanouve, Scully, South.

Total 3

Senate Bill No. 268 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Spilker, Staigmiller, Stobie, Teague, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Keedy, Smith, Thoft, Uhde.
Total 4

Excused: Huennekens.
Total 1

Absent or not voting: Bardanouve, Scully, South.
Total 3

Senate Bill No. 289 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: Jensen.
Total 1

Excused: Huennekens.
Total 1

Absent or not voting: Bardanouve, Shelden, South.
Total 3

Senate Bill No. 316 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal,

Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Huennekens.
Total 1

Absent or not voting: Bardanouve, Shelden, South.
Total 3

Senate Bill No. 371 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: Sales, Wood.
Total 2

Excused: Huennekens.
Total 1

Absent or not voting: Bardanouve, Harrington, South.
Total 3

Senate Bill No. 381 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: Azzara.
Total 1

Excused: Huennekens.
Total 1

Absent or not voting: Bardanouve, South.
Total 2

Senate Bill No. 403 was concurred in by the following vote:

Ayes: Anderson, Burnett, Conroy, Curtiss, Daily, Donaldson, Ellerd, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Holmes, Hurwitz, Iverson, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Lory, Lund, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Sales, Schultz, Seifert, Sivertsen, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 59

Noes: Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Cooney, Dassinger, Day, Dozier, Dussault, Ellis, Frates, Harper, Hirsch, Jensen, Johnson, Keedy, Kemmis, Kessler, Lien, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Oberg, Reichert, Rosenthal, Roth, Shelden, Smith, Teague, Yardley.
Total 35

Excused: Huennekens.
Total 1

Absent or not voting: Bardanouve, Ellison, Marks, Scully, South.
Total 5

Senate Bill No. 436 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Spilker, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: Donaldson, Ellison, Hayne, Keyser, Nathe, Smith, Stobie, Thoft.
Total 8

Excused: Huennekens.
Total 1

Absent or not voting: Bardanouve, H. Robbins, South.
Total 3

Senate Amendments to House Bill No. 182 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bertelsen, Burnett, Conroy, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Schultz, Scully, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.

Total 86

Noes: Brand, Manning.
Total 2

Excused: Huennekens.
Total 1

Absent or not voting: Bardanouve, Bennett, Cooney, Day, Ellison, Keedy, H. Robbins, Sales, Seifert, Shelden, South.
Total 11

Senate Amendments to House Bill No. 185 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Brand, Manning, Teague.
Total 3

Excused: Huennekens.
Total 1

Absent or not voting: Bardanouve, Keedy, Shelden, South.
Total 4

Senate Amendments to House Bill No. 194 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Brand, Jensen, Manning, Teague.
Total 4

Excused: Huennekens.
Total 1

Absent or not voting: Bardanouve, Fagg, Keedy, Shelden, South.
Total 5

Consent Calendar

Senate Bill No. 101 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Huennekens.
Total 1

Absent or not voting: Bardanouve, South.
Total 2

Senate Bill No. 118 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Jensen, Keyser, Nathe, Rosenthal, Roth, Underdal.
Total 6

Excused: Huennekens.
Total 1

Absent or not voting: Azzara, Bardanouve, South.
Total 3

Senate Bill No. 120 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal,

Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: Stobie.
Total 1

Excused: Huennekens.
Total 1

Absent or not voting: Bardanouve, Shelden, South.
Total 3

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Harper in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SA to HB 253 be concurred in. (83-0)

That SB 134 be concurred in. Motion failed. (18-71)

That SB 134 be not concurred in. (74-13)

That SB 153 be concurred in. (81-1)

That SB 212 be concurred in. (66-27)

That SB 215 be concurred in. (78-7)

Keedy moved that SB 227 pass consideration for the day. Motion carried.

That SB 278 be concurred in. (86-0)

That SB 281 be concurred in. (84-0)

That SB 293 be concurred in. (89-0)

That SB 341 be concurred in. (90-0)

That SB 342 be concurred in. (90-0)

That SB 344 be concurred in. (83-0)

That SB 382 be concurred in. (80-0)

That SB 395 be concurred in. (71-7)

That SB 421 be concurred in. (75-2)

That SB 423 be concurred in. (77-1)

Frates replaced Harper in the Chair.

That SB 427 be concurred in. (80-0)

Harper back in the Chair.

Marks moved that SB 466 pass consideration for the day. Motion carried.

That SB 498 be concurred in. Motion failed. (42-42)

That SB 498 be not concurred in. Motion failed. (20-72)

Dussault moved that the House reconsider its action in failing to concur in SB 498. Motion carried.

That SB 498 be concurred in. (77-16)

Dassinger moved that SJR 10 be placed below SJR 26. Motion carried.

That SJR 22 be concurred in. (88-0)

That SJR 26 be concurred in. (84-4)

That SJR 10, third reading copy, be amended as follows: (70-14)

1. Title, line 7.
Following: "FOR"
Strike: "LIGHT-DUTY"

2. Page 1, line 19.
Following: "many"
Strike: "light-duty"

3. Page 2, line 5.
Following: "for"
Strike: "light-duty"

And as amended, be concurred in. (64-24)

That SA to HB 91 be concurred in. (84-0)

That SA to HB 163 be concurred in. (83-0)

That CC on HA to SB 78 be adopted. (80-0)

Harper moved that the committee report be deemed read. Motion carried.

That the Committee rise and report. (Harper, Chairman). Nordtvedt moved that SB 212 be segregated from the Committee of the Whole Report. Motion failed. (25-61) Thereupon, report adopted. (81-9)

REPORTS OF STANDING COMMITTEES

Dussault moved that all printing reports and Standing Committee Reports with a do pass recommendation be deemed read this day. Motion carried.

BILLS (Metcalf, Chairman): 3/7/79

Correctly enrolled - HB 79, HB 98, HB 215, HB 354, HB 493, HB 518.

Examined by the Sponsor and found to be correct - HB 79, HB 98, HB 215, HB 354, HB 493, HB 518.

Will be signed by the Speaker on adjournment, 3/7/79 - HB 79, HB 98, HB 215, HB 354, HB 493, HB 518.

Do Pass

AGRICULTURE, LIVESTOCK AND IRRIGATION (Day, Chairman): 3/7/79

SB 396, be concurred in. Report adopted.

SB 407, be concurred in. Report adopted.

BUSINESS AND INDUSTRY (Quilici, Chairman): 3/7/79
SB 390, third reading copy, be amended as follows:

1. Page 7, lines 17 and 18.
Following: line 16
Strike: subsection (4) in its entirety

And as amended, be concurred in. Report adopted.

SB 455, be concurred in. Report adopted.
SB 458, third reading copy, be amended as follows:

1. Page 6, lines 8 and 9.
Following: line 7
Strike: subsection (4) in its entirety

And as amended, be concurred in. Report adopted.

SB 489, third reading copy, be amended as follows:

1. Page 1, line 18.
Following: "reestablished"
Strike: "for a period of 6 years pursuant to 2-8-122"

2. Page 10, line 3.
Following: "~~three~~"
Strike: "five"
Insert: "three"

3. Page 18, line 25.
Following: line 24
Insert: "accredited to offer"

4. Page 18, line 25.
Following: "~~offer~~"
Strike: "recognized by the board with"

And as amended, be concurred in. Report adopted.

SB 496, be concurred in. Report adopted.
SB 500, third reading copy, second printing, be amended as follows:

1. Page 2, line 14.
Following: "TITLE 33"
Insert: ", except that the requirements of 33-2-109 and 33-2-110 may be met by obtaining reinsurance or excess insurance in such amounts and type as shall be determined to be actuarially sound by the commissioner of insurance based upon an independent actuarial study provided at the expense of the trust"

2. Page 2, line 25.
Following: "UNDER"
Insert: "chapters 20 and 21 of"

3. Page 2, line 25 through line 1 on page 3.
Following: "MCA"
Strike: ", AND ANY OTHER MONTANA STATUTE"

4. Page 3.
Following: line 15
Strike: lines 16 through 18 in their entirety
Insert: "tort liability of any health care facility."

5. Page 3, line 25 through line 3 on page 4.
Following: line 24
Strike: section 5 in its entirety

And as amended, be concurred in. Report adopted.

SJR 19, be concurred in. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Gilligan, Chairman): 3/7/79

SB 32, third reading copy, be amended as follows:

1. Page 28, line 21.
Following: "than"
Strike: "$3,000"
Insert: "$5,000"

2. Page 28, line 23.
Following: line 22
Strike: "$10,000"
Insert: "$25,000"
Following: "than"
Strike: "$3,000"
Insert: "$5,000"

3. Page 29, line 2.
Following: line 1
Strike: "$10,000"
Insert: "$25,000"

And as amended, be concurred in. Report adopted.

SB 59, third reading copy, be amended as follows:

1. Page 2, line 8.
Following: "SUBSTANTIAL"
Strike: "OR"
Insert: "and"

And as amended, be concurred in. Report adopted.

SB 441, third reading copy, be amended as follows:

1. Page 2, line 8.
Following: "money"
Insert: "when such investments or deposits are made on a rotating or ratable basis among financial institutions in the community or when there is only one financial institution in the community"
Following: ";"
Insert: "or"

2. Page 2, line 9.
Following: line 8
Strike: subsection (III) in its entirety
Renumber: subsequent subsection

3. Page 2, line 10.
Following: "for"
Insert: "professional services other than salaried services or for"
Following: "services"
Insert: "or supplies when the services or supplies"

4. Page 2, line 11.
Following: line 10

Strike: "which"

And as amended, be concurred in. Report adopted.

NATURAL RESOURCES (Shelden, Chairman): 3/7/79
SB 185, be concurred in. Report adopted.

Adverse Committee Reports

On motion by Dassinger, the Adverse Committee Report on HB 524 was adopted by the following vote: (77-11)

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bertelsen, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Frates, Gesek, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Smith, Spilker, Staigmiller, Thoft, Uhde, Underdal, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 77

Noes: Brand, Dassinger, Feda, Gould, Metcalf, O'Connell, Sivertsen, Stobie, Teague, Vincent, Vinger.
Total 11

Excused: Huennekens.
Total 1

Absent or not voting: Azzara, Bennett, Burnett, Fabrega, Gilligan, Hurwitz, Oberg, H. Robbins, Scully, South, Tropila.
Total 11

On motion by Teague, the Adverse Committee Report on SB 86 was adopted by the following vote: (88-2)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: Feda, Wood.
Total 2

Excused: Huennekens.
Total 1

Absent or not voting: Bennett, Burnett, Fabrega, Hurwitz, Oberg, H. Robbins, Scully, South, Underdal.
Total 9

On motion by Reichert, the Adverse Committee Report on SB 308 was adopted by the following vote: (85-6)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 85

Noes: Fagg, Holmes, Metcalf, Underdal, Vincent, Wood.
Total 6

Excused: Huennekens.
Total 1

Absent or not voting: Bennett, Burnett, Fabrega, Hurwitz, Oberg, H. Robbins, Scully, South.
Total 8

On motion by Day, the Adverse Committee Report on SB 465 was adopted by the following vote: (67-20)

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Conroy, Curtiss, Daily, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Kvaalen, Lien, Lory, Lund, Magone, Manning, Menahan, Meyer, Moore, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Smith, Spilker, Staigmiller, Thoft, Tropila, Uhde, Underdal, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 67

Noes: Anderson, Brand, Cooney, Dassinger, Ellison, Keedy, Keyser, Kropp, McBride, Manuel, Marks, Metcalf, Nathe, Nordtvedt, Ramirez, Sivertsen, Teague, Vincent, Vinger, Wood.
Total 20

Excused: Huennekens.
Total 1

Absent or not voting: Bennett, Burnett, Fabrega, Frates, Holmes, Hurwitz, Oberg, H. Robbins, K. Robbins, Scully, South, Stobie.
Total 12

On motion by Staigmiller, the Adverse Committee Report on SB 501 was adopted by the following vote: (76-16)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fagg, Frates, Gesek, Gilligan, Hand, Harrington, Hayne, Hemstad, Hirsch, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kvaalen, Lien, Lory, McBride, Magone, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Yardley, Mr. Speaker.

Total 76

Noes: Brand, Cooney, Ellison, Feda, Gould, Harper, Holmes, Kessler, Kropp, Lund, Manning, Manuel, Teague, Vinger, Wood, Wyrick.
Total 16

Excused: Huennekens.
Total 1

Absent or not voting: Bennett, Burnett, Fabrega, Hurwitz, H. Robbins, Scully, South.
Total 7

SPECIAL ORDERS OF THE DAY

Consent Calendar

Questions were asked on SB 408.

Dussault moved that the House adjourn until 3:00 p.m., March 8, 1979.

Motion carried.

House adjourned at 6:20 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

FIFTY-FOURTH LEGISLATIVE DAY

Helena, Montana
March 8,1979

House Chambers
Capitol Building

House convened at 2:59 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Vinger, excused; Frates, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Fifty-first Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

Dussault moved that all printing reports and Standing Committee Reports with a do pass recommendation be deemed read. Motion carried.

BILLS (Metcalf, Chairman): 3/8/79
Correctly printed - HB 317, HB 416, HB 573.

Delivered to the Governor for his approval at 2:00 p.m., 3/8/79 - HB 50, HB 79, HB 87, HB 98, HB 159, HB 192, HB 202, HB 215, HB 231, HB 296, HB 354, HB 493, HB 518.

Will be signed by the Speaker on adjournment, 3/8/79 - SB 82, SB 84, SB 139, SB 157.

Signed by the Speaker on adjournment, 3/7/79 - HB 79, HB 98, HB 215, HB 354, HB 493, HB 518.

Do Pass

BUSINESS AND INDUSTRY (Quilici, Chairman): 3/8/79
SB 80, be concurred in. Report adopted.
SB 81, be concurred in. Report adopted.

HUMAN SERVICES (Holmes, Chairman): 3/8/79
SB 97, third reading copy, be amended as follows:

1. Page 1.
Following: line 20
Insert: "SECTION 4. THERE IS A NEW MCA SECTION THAT READS:

Health care facility liability. No hospital, health care facility, or employee thereof shall be held liable for the administration of laetrile to any person at the direction of a licensed physician."
Renumber: all subsequent sections

And as amended, be concurred in. Report adopted.

SB 100, be concurred in. Report adopted.
SB 377, be concurred in. Report adopted.

JUDICIARY (Scully, Chairman): 3/8/79
SB 288, be concurred in. Report adopted.
SB 322, be concurred in. Report adopted.
SB 367, be concurred in. Report adopted.
SB 432, be concurred in. Report adopted.

SB 488, third reading copy, be amended as follows:

1. Page 2, line 23.
Strike: subsection (1)(g) in its entirety
Renumber: subsequent subsections

And as amended, be concurred in. Report adopted.

STATE ADMINISTRATION (Brand, Chairman): 3/8/79
SB 112, be concurred in. Report adopted.
SB 132, be concurred in. Report adopted.
SB 156, be concurred in. Report adopted.

TAXATION (Huennekens, Chairman): 3/8/79
HB 411, do pass. Report adopted.
HB 702, introduced bill, be amended as follows:

1. Title, line 8.
Following: "COSTS"
Strike: ","
Insert: "OR"
Following: "ASSESSMENTS"
Strike: ", OR JUDGMENTS"

2. Page 1, line 19.
Following: "costs"
Strike: ","
Insert: "or"
Following: "assessments"
Strike: ", or judgments"

3. Page 1.
Following: line 21
Insert: "(3) In any suit brought in the courts of this state for the refund of taxes paid under protest and those funds are held by the treasurer of a unit of local government in a protest fund, the court shall enter judgment against the treasurer if the court finds the taxes should be refunded."

And as amended, do pass. Report adopted.

HJR 33, introduced bill, be amended as follows:

1. Page 1.
Strike: lines 9 through 12 in their entirety

2. Page 1, line 16.
Following: "Montana"
Strike: "as is required of all good citizens"

3. Page 1.
Following: line 17
Strike: line 18 through line 11 on page 2 in their entirety

4. Page 2, line 14.
Following: "tax"
Strike: "; and"
Insert: "."

5. Page 2.
Following: line 14
Strike: lines 15 through 18 in their entirety

And as amended, do pass. Report adopted.

Adverse Committee Reports

STATE ADMINISTRATION (Brand, Chairman): 3/8/79
SB 171, be not concurred in.
SB 199, be not concurred in.
SJR 6, be not concurred in.

TAXATION (Huennekens, Chairman): 3/8/79
HB 402, do not pass.

Consent Calendar

Bills unanimously passed in committee and unanimously placed on Consent Calendar:

BUSINESS AND INDUSTRY (Quilici, Chairman): 3/8/79
SB 9, be concurred in. Report adopted.
SB 10, be concurred in. Report adopted.
SB 64, be concurred in. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House Joint Resolution indefinitely postponed and returned to the House: 3/7/79

House Joint Resolution No. 26, introduced by Kropp, Donaldson, Vinger, et al

Governor's Amendments to House Bill concurred in and returned to the House: 3/7/79

House Bill No. 40, introduced by Metcalf

House Bills not concurred in and returned to the House: 3/7/79

House Bill No. 129, introduced by Pavlovich

House Bill No. 387, introduced by Sales

House Bill No. 767, introduced by Donaldson

House Bill No. 769, introduced by Azzara, Kemmis, Pavlovich, et al

House Bills concurred in as amended and returned to the House for concurrence in Senate Amendments: 3/7/79

House Bill No. 48, introduced by Manuel

House Bill No. 80, introduced by Dassinger

House Bill No. 214, introduced by Dozier

House Bill No. 367, introduced by Lien, Smith

House Bills and House Joint Resolution concurred in and returned to the House: 3/7/79

House Bill No. 51, introduced by Donaldson

House Bill No. 68, introduced by Dozier

House Bill No. 169, introduced by Kvaalen

House Bill No. 186, introduced by Bardanouve

House Bill No. 188, introduced by Fagg

House Bill No. 306, introduced by Gould

House Bill No. 308, introduced by Kemmis

House Bill No. 311, introduced by Ramirez, Scully

House Bill No. 331, introduced by Dozier

House Bill No. 335, introduced by Ramirez, Scully

House Bill No. 374, introduced by Seifert, Anderson, Keedy, Spilker, et al

House Bill No. 405, introduced by Bardanouve

House Bill No. 407, introduced by H. Robbins, Fabrega

House Bill No. 683, introduced by Hemstad

House Joint Resolution No. 22, introduced by Hirsch

MOTIONS

Frates present at this time.

Brand moved that SB 425 be rereferred from the Committee on State Administration to the Committee on Appropriations. Motion carried.

Keyser moved that SB 280 be taken out of the Committee on Labor and Employment Relations and placed on Second Reading. Discussion followed. Marks then moved the previous question. Motion carried. (54-41) Thereupon, Keyser's motion carried. (61-34)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 905, introduced by Harrington, Daily, Quilici. Referred to Committee on Appropriations.

HB 906, introduced by Gerke, Dussault, Vincent, Blaylock, Jergeson. Referred to Committee on Appropriations.

HB 907, introduced by Bertelsen, Marks, Manley. Referred to Committee on Appropriations.

HR 2, introduced by Kanduch, Menahan, Pavlovich, Johnston, Daily, Azzara, Magone, Marks, Seifert, Ramirez, Sivertsen, Keyser, Porter, Harrington, Quilici, Shelden, Baeth. Referred to Committee on Highways and Transportation.

HJR 54, introduced by Gould, Ramirez, Sivertsen, Kessler. Referred to Committee on Local Government.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 556 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Brand, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H.

Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, South, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: Bertelsen, Burnett, Hayne, Jensen, Nordtvedt, Smith, Stobie.
Total 7

Excused: Vinger.
Total 1

Absent or not voting: Bardanouve, Daily, Scully, Spilker.
Total 4

House Bill No. 874 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Vinger.
Total 1

Absent or not voting: Bardanouve, Bertelsen, Daily, Scully.
Total 4

Senate Bill No. 61 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Cooney, Curtiss, Dassinger, Day, Dozier, Dussault, Ellis, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Kanduch, Kemmis, Kessler, Kropp, Kvaalen, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, Rosenthal, Roth, Scully, Shelden, South, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 67

Noes: Burnett, Conroy, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Hayne, Jensen, Keedy, Keyser, Lien, Nordtvedt, Oberg, Porter, Ramirez, K. Robbins, Sales, Schultz, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Thoft, Underdal, Wood.
Total 28

Excused: Vinger.
Total 1

Absent or not voting: Bardanouve, Daily, Johnston, Lory.
Total 4

Senate Bill No. 70 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 85

Noes: Dussault, Ellison, Harper, Johnson, Magone, Oberg, Rosenthal, Seifert, Smith, Uhde, Yardley.
Total 11

Excused: Vinger.
Total 1

Absent or not voting: Azzara, Bardanouve, Daily.
Total 3

Senate Bill No. 103 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: Smith.
Total 1

Excused: Vinger.
Total 1

Absent or not voting: Bardanouve, Daily, Hurwitz.
Total 3

Senate Bill No. 104 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith,

South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: Jensen, Stobie.
Total 2

Excused: Vinger.
Total 1

Absent or not voting: Bardanouve, Daily.
Total 2

Senate Bill No. 114 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Burnett, Marks, Smith.
Total 3

Excused: Vinger.
Total 1

Absent or not voting: Bardanouve, Daily, Feda, Lund.
Total 4

Senate Bill No. 115 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Vinger.
Total 1

Absent or not voting: Bardanouve, Daily, Hurwitz.
Total 3

Senate Bill No. 131 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Vinger.
Total 1

Absent or not voting: Bardanouve, Daily, Ellison.
Total 3

Senate Bill No. 137 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Bennett, Ernst, O'Connell, Schultz, Smith, Stobie, Teague, Wood.
Total 8

Excused: Vinger.
Total 1

Absent or not voting: Bardanouve, Daily.
Total 2

Senate Bill No. 152 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith,

South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Vinger.
Total 1

Absent or not voting: Bardanouve, Daily, Wood.
Total 3

Senate Bill No. 165 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Vinger.
Total 1

Absent or not voting: Bardanouve, Daily, Keedy, Wood.
Total 4

Senate Bill No. 186 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: Porter, Seifert, Smith.
Total 3

Excused: Vinger.
Total 1

Absent or not voting: Bardanouve.
Total 1

Senate Bill No. 189 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: Smith.
Total 1

Excused: Vinger.
Total 1

Absent or not voting: Bardanouve.
Total 1

Senate Bill No. 194 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pistoria, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, South, Spilker, Stobie, Thoft, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 76

Noes: Azzara, Brand, Cooney, Dozier, Dussault, Hirsch, Holmes, Johnson, McBride, Magone, Manning, Marks, Pavlovich, Porter, Quilici, Shelden, Smith, Staigmiller, Teague.
Total 19

Excused: Vinger.
Total 1

Absent or not voting: Bardanouve, Harrington, K. Robbins, Tropila.
Total 4

Senate Bill No. 197 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.

Total 97

Noes: None.
Total 0

Excused: Vinger.
Total 1

Absent or not voting: Bardanouve, Keedy.
Total 2

Senate Bill No. 204 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: Johnson, Smith, Tropila.
Total 3

Excused: Vinger.
Total 1

Absent or not voting: Bardanouve, Hand.
Total 2

Senate Bill No. 287 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Vinger.
Total 1

Absent or not voting: Bardanouve, Keedy, Oberg.
Total 3

Senate Bill No. 331 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Ellis, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Schultz, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 81

Noes: Brand, Dassinger, Dussault, Ellison, Fagg, Marks, Nordtvedt, Oberg, Porter, K. Robbins, Roth, Sales, Scully, Seifert, Smith, Stobie.
Total 16

Excused: Vinger.
Total 1

Absent or not voting: Bardanouve, Ellerd.
Total 2

Senate Bill No. 375 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Vinger.
Total 1

Absent or not voting: Bardanouve, H. Robbins.
Total 2

Senate Bill No. 379 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.

Total 94

Noes: None.
Total 0

Excused: Vinger.
Total 1

Absent or not voting: Bardanouve, Hurwitz, Manuel, Nordtvedt, Shelden.
Total 5

Senate Bill No. 383 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: Schultz, Smith.
Total 2

Excused: Vinger.
Total 1

Absent or not voting: Bardanouve.
Total 1

Senate Bill No. 398 was concurred in by the following vote:

Ayes: Anderson, Azzara, Bengtson, Bertelsen, Burnett, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 86

Noes: Baeth, Bennett, Brand, Cooney, Johnson, Manning, Marks, Oberg, Rosenthal, Smith, Uhde, Waldron.
Total 12

Excused: Vinger.
Total 1

Absent or not voting: Bardanouve.
Total 1

Senate Bill No. 399 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Burnett, Harper, Johnson, South, Uhde.
Total 5

Excused: Vinger.
Total 1

Absent or not voting: Bardanouve, Kemmis.
Total 2

Senate Joint Resolution No. 9 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: Gesek.
Total 1

Excused: Vinger.
Total 1

Absent or not voting: Bardanouve.
Total 1

Senate Joint Resolution No. 24 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.

Total 92

Noes: Azzara, Kemmis, Underdal.
Total 3

Excused: Vinger.
Total 1

Absent or not voting: Bardanouve, Johnson, Reichert, Wyrick.
Total 4

Senate Amendments to House Bill No. 91 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley.
Total 96

Noes: Mr. Speaker.
Total 1

Excused: Vinger.
Total 1

Absent or not voting: Bardanouve, Stobie.
Total 2

Senate Amendments to House Bill No. 163 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Brand, Manning, Sales.
Total 3

Excused: Vinger.
Total 1

Absent or not voting: Bardanouve, Ellerd, Pistoria.
Total 3

Senate Amendments to House Bill No. 253 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Brand, Harper, Keedy, Magone, Manning, Staigmiller.
Total 6

Excused: Vinger.
Total 1

Absent or not voting: Bardanouve, Reichert.
Total 2

Conference Committee Report on House Amendments to Senate Bill No. 78 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Vinger.
Total 1

Absent or not voting: Bardanouve, Dussault, Holmes, Magone, Sivertsen.
Total 5

Consent Calendar

Senate Bill No. 408 was concurred in by the following vote:

Ayes: Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Eudaily, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnson, Johnston, Kanduch, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez,

H. Robbins, Rosenthal, Sales, Schultz, Seifert, Shelden, Sivertsen, South, Spilker, Stobie, Teague, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 76

Noes: Anderson, Azzara, Brand, Ernst, Frates, Hayne, Iverson, Keedy, Kemmis, Keyser, Magone, Manning, Reichert, K. Robbins, Roth, Smith, Staigmiller, Thoft, Tropila, Uhde.
Total 20

Excused: Vinger.
Total 1

Absent or not voting: Bardanouve, Harper, Scully.
Total 3

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Moore in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 227, third reading copy, be amended as follows: (74-0)

1. Page 1, line 19.
Following: "refuges"
Insert: ", or the U.S. fish and wildlife service"

2. Page 2, line 10.
Following: "areas"
Insert: ", if the governing body deems such inspection appropriate"

3. Page 2, line 11.
Following: "(2)"
Strike: "The"
Insert: "If requested by the governing body, the"

4. Page 2, line 16.
Following: "LOCATED."
Insert: "The hearing shall be held within 30 days of the governing body's receipt of the acquisition proposal."

And as amended, be concurred in. (77-1)

That SB 466, third reading copy, be amended as follows: (81-0)

1. Title, lines 5 and 6.
Strike: "STATE LAWS ON BID LETTING AND"
Insert: "THE LAW ON"

2. Page 4, line 7.
Following: "commissioner"
Insert: "call for bids for the printing and binding and"

3. Page 4, line 9.
Following: "contracts"
Insert: "and bids"

4. Page 4, line 13.
Following: "~~bid~~"
Insert: "and bid"

5. Page 4, line 14.
Following: "~~by~~"
Insert: "bids by"

And as amended, be concurred in. (84-0)

That SB 334 be concurred in. (68-10)

That SB 336 be concurred in. (80-3)

That SB 333 be concurred in. (77-3)

That SB 335 be concurred in. (78-4)

That SB 305 be concurred in. (79-1)

That SB 310 be concurred in. (71-3)

That SB 339 be concurred in. (71-8)

That SB 332 be concurred in. (78-4)

That SB 350 be concurred in. (81-0)

That SB 307 be concurred in. (86-0)

That SB 337 be concurred in. (78-12)

That SB 340 be concurred in. (75-8)

That SB 314 be concurred in. (76-10)

That SB 338 be concurred in. (77-2)

Meyer moved that SB 32 pass consideration for the day. Motion carried.

That SB 59 be concurred in. (73-6)

That SB 185 be concurred in. (83-0)

That SB 296 be concurred in. (65-26)

Quilici moved that SB 390 pass consideration for the day. Motion carried.

That SB 396 be concurred in. (78-0)

That SB 407 be concurred in. (79-8)

That SB 441 be concurred in. (75-3)

Baeth moved that SB 442 be placed at the bottom of the board. Motion carried.

That SB 455 be concurred in. (81-0)

That SB 458 be concurred in. (64-10)

That SB 489 be concurred in. (77-4)

Ellison moved that SB 496 pass consideration for the day. Motion carried.

K. Robbins moved that SB 500 pass consideration for the day. Motion carried.

That SJR 19 be concurred in. (83-1)

O'Connell moved that SB 442 pass consideration for the day. Motion carried.

That SA to HB 100 be not concurred in. (70-11)

That SA to HB 431 be concurred in. (80-0)

Moore moved that the committee report be deemed read. Motion carried.

That the Committee rise and report. (Moore, Chairman). Report adopted. (84-1)

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 3/8/79

Will be signed by the Speaker on adjournment, 3/8/79 - HB 495, HJR 10, HJR 16.

Correctly enrolled - HB 495, HJR 10, HJR 16.

Examined by the Sponsor and found to be correct - HB 495, HJR 10, HJR 16.

Do Pass

HIGHWAYS AND TRANSPORTATION (Baeth, Chairman): 3/8/79

HJR 50, do pass. Report adopted.
SB 113, third reading copy, be amended as follows:

1. Page 18, line 2.
Strike: "LICENSE"
Insert: "manufacturer's identification"

And as amended, be concurred in. Report adopted.

SB 304, be concurred in. Report adopted.
SB 406, third reading copy, be amended as follows:

1. Title, line 5.
Following: "HUSBANDRY"
Insert: "OR PURCHASERS OF THE SAME"

2. Page 2, line 14.
Following: "machinery"
Insert: "or purchasers of the same"

3. Page 2, line 17.
Following: "machinery"
Insert: "or purchasers of the same"

4. Page 3, line 24.
Following: "machinery"
Insert: "or purchasers of the same"

5. Page 4, line 21.
Following: "machinery"
Insert: "or purchasers of the same"

And as amended, be concurred in. Report adopted.

SB 435, be concurred in. Report adopted.
SB 450, third reading copy, be amended as follows:

1. Title, line 6.
Strike: "SECTIONS 61-8-356 AND"
Insert: "SECTION"

2. Page 1, lines 9 through 15.
Strike: lines 9 through 15 in their entirety
Renumber: the following section

3. Page 2, line 2.
Strike: "or private property"

And as amended, be concurred in. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Williams, Chairman): 3/8/79

SB 208, be concurred in. Report adopted.
SB 321, be concurred in. Report adopted.
SB 467, be concurred in. Report adopted.

TAXATION (Huennekens, Chairman): 3/8/79

HB 768, introduced bill, be amended as follows:

1. Page 2, line 5.
Following: "31,"
Strike: "1978"
Insert: "1977"

And as amended, do pass. Report adopted.

Adverse Committee Reports

TAXATION (Huennekens, Chairman): 3/8/79

HB 852, do not pass.
HB 869, do not pass.

Dussault moved that the House adjourn until 3:00 p.m., March 9, 1979.

Motion carried.

House adjourned at 5:31 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

FIFTY-FIFTH LEGISLATIVE DAY

Helena, Montana
March 9, 1979

House Chambers
Capitol Building

House convened at 3:00 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Cooney, Fagg, Harper, Huennekens, Keedy, Kessler, McBride, Metcalf, Nathe, Shelden, Spilker, Vinger, excused; Ramirez, South, absent. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 3/9/79
Correctly printed - HB 411, HB 702.

Signed by the Speaker on adjournment, 3/8/79 - SB 82, SB 84, SB 139, SB 157.

Do Pass

FISH AND GAME (Staigmiller, Chairman): 3/8/79
SB 456, third reading copy, second printing, be amended as follows:

1. Title, line 6.
Strike: "AND LIMITING THE AUTHORITY OF COURTS RELATING TO IMPOUNDMENT OF VEHICLES"

2. Title, line 8.
Strike: "SECTIONS"
Insert: "SECTION"
Strike: "AND 61-12-601"

3. Page 1, lines 23 and 24.
Strike: "OR VIOLATIONS OF 61-8-401"

4. Page 2, lines 1 through 5.
Strike: lines 1 through 5 in their entirety

5. Page 2, line 6 through line 16 on page 3.
Strike: section 2 in its entirety

And as amended, be concurred in. Report adopted.

SB 497, third reading copy, second printing, be amended as follows:

1. Page 3, line 12.
Following: "~~a year~~"
Insert: "a year"

2. Page 4, line 14.
Following: "[THIS ACT]"
Insert: "who is permitted to engage in aerial hunting pursuant to [this act]"

3. Page 5.
Following: line 8
Insert: "(3) Any person who is not permitted to engage in aerial hunting pursuant to [this act] who violates any provisions of [this act] is quilty of a misdemeanor, and upon conviction is punishable by a fine of not less than $500 nor more than $1,000. A subsequent conviction under this subsection is punishable by a fine of not less than $1,000 or more than $1,500.

(4) The justice court has jurisdiction over violations of [this act]."
Renumber: subsequent subsections

4. Page 6, line 13.
Following: "~~10~~"
Strike: "9"
Insert: "7"

And as amended, be concurred in. Report adopted.

SB 504, third reading copy, be amended as follows:

1. Title, lines 5 and 6.
Following: "UNATTENDED"
Strike: "AND TO WASTE FUR-BEARING ANIMALS"

2. Page 1, line 9.
Following: "Section 1."
Strike: "Wasting of fur-bearing animals"
Insert: "Failure to attend traps — penalty"

3. Page 1, lines 10 and 11.
Following: "to"
Strike: "pick up traps or snares at the end of the trapping season or attends"
Insert: "attend"

4. Page 1, lines 11 and 12.
Following: "snares"
Strike: "so that fur-bearing animals are wasted"

And as amended, be concurred in. Report adopted.

SJR 21, be concurred in. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Williams, Chairman):
3/8/79

SB 155, third reading copy, second printing, be amended as follows:

1. Page 1, lines 10 through 19.
Following: line 9
Strike: lines 10 through 19 in their entirety

2. Page 1, lines 23 and 24.
Following: "salesman,"
Strike: "partsman, or mechanic PAID ON A COMMISSION OR CONTRACT BASIS AND"

3. Page 1, line 25.
Following: "selling"
Strike: "or servicing"

4. Page 2, line 9 through line 5 on page 4.
Following: line 8
Strike: remainder of bill in its entirety

And as amended, be concurred in. Report adopted.

Adverse Committee Reports

Uhde, Cooney, Johnson, Brand, McBride, Pistoria, Keedy, Nathe, Kvaalen, Magone objected that HB 402 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

Gould, Harrington, Daily, Pavlovich, Menahan, Burnett, Tropila, Ellison, Stobie, Feda objected that HB 852 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

Wood, Menahan, Smith, Moore, Sales, Wyrick, Kropp, Kvaalen, Schultz, Ernst objected that SB 171 was reported out of committee with a be not concurred in recommendation and requested that the bill be referred to Second Reading.

MESSAGES FROM THE OTHER HOUSE

House Bills indefinitely postponed and returned to the House: 3/8/79

House Bill No. 609, introduced by Tropila, Gilligan, Pistoria, et al

House Bill No. 861, introduced by Scully, Gerke

The Senate on 3/8/79, requested the return of the following House bill for further consideration:

House Bill No. 618, introduced by Keedy, Ramirez, Sivertsen, et al

Senate Bill passed and transmitted to the House for concurrence: 3/8/79

Senate Bill No. 234, introduced by McCallum

House Bill not concurred in and returned to the House: 3/8/79

House Bill No. 618, introduced by Keedy, Ramirez, Sivertsen, Conroy, et al

House Bills concurred in as amended and returned to the House for concurrence in Senate Amendments: 3/8/79

House Bill No. 413, introduced by Fabrega, Tropila, Gilligan, et al

House Bill No. 598, introduced by Gerke, Ellerd, Ellis, Tropila

House Bills passed on Third Reading Consent Calendar and returned to the House: 3/8/79

House Bill No. 548, introduced by Harper

House Bill No. 650, introduced by Pavlovich, Johnston, Daily, Menahan

House Bills and House Joint Resolution concurred in and returned to the House: 3/8/79

House Bill No. 94, introduced by Nordtvedt

House Bill No. 108, introduced by Lien, Tropila

House Bill No. 290, introduced by Johnston, Manning, et al

House Bill No. 340, introduced by Ramirez

House Bill No. 369, introduced by H. Robbins, Gilligan

House Bill No. 406, introduced by Conroy, Marks, et al

House Bill No. 428, introduced by Moore, Marks, South, et al

House Bill No. 459, introduced by Curtiss, Iverson, Lien, et al

House Bill No. 489, introduced by Bengtson

House Bill No. 572, introduced by Manuel

House Joint Resolution No. 17, introduced by Quilici, Gerke, Kolstad, Scully, et al

House Amendments to Senate Bills and Senate Joint Resolution concurred in: 3/8/79

Senate Bill No. 39, introduced by Hazelbaker, et al

Senate Bill No. 109, introduced by Ryan, Rasmussen

Senate Bill No. 148, introduced by Hazelbaker, S. Brown, Norman, Peterson

Senate Bill No. 175, introduced by Van Valkenburg, Olson, et al

Senate Bill No. 190, introduced by Stimatz

Senate Joint Resolution No. 13, introduced by Blaylock, et al

REPORTS OF STANDING COMMITTEES

Do Pass

BUSINESS AND INDUSTRY (Quilici, Chairman): 3/9/79
SB 83, be concurred in. Report adopted.
SB 85, be concurred in. Report adopted.
SB 92, be concurred in. Report adopted.
SB 93, be concurred in. Report adopted.
SB 94, be concurred in. Report adopted.

Adverse Committee Reports

On motion by Dassinger, the Adverse Committee Report on HB 869 was adopted by the following vote: (55-14)

Ayes: Anderson, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellis, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Hand, Hayne, Holmes, Hurwitz, Jensen, Johnson, Kemmis, Keyser, Kropp, Kvaalen, Lory, Magone, Manning, Menahan, Meyer, Moore, Nordtvedt, O'Connell, Pavlovich, Porter, K. Robbins, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, Stobie, Thoft, Tropila, Underdal, Vincent, Waldron, Wood, Yardley, Mr. Speaker.
Total 55

Noes: Burnett, Dussault, Gilligan, Harrington, Hirsch, Lien, Lund, Manuel, H. Robbins, Rosenthal, Staigmiller, Uhde, Williams, Wyrick.
Total 14

Excused: Cooney, Fagg, Harper, Huennekens, Iverson, Johnston, Keedy, Kessler, McBride, Metcalf, Nathe, Quilici, Vinger.
Total 13

Absent or not voting: Azzara, Baeth, Brand, Ellerd, Ellison, Gould, Hemstad, Kanduch, Marks, Oberg, Pistoria, Ramirez, Reichert, Scully, Shelden, South, Spilker, Teague.
Total 18

On motion by O'Connell, the Adverse Committee Report on SB 199 was adopted by the following vote: (71-4)

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Hand, Harrington, Hayne, Hirsch, Holmes, Hurwitz, Jensen, Johnson, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund,

Magone, Manning, Manuel, Menahan, Meyer, Moore, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Sivertsen, Smith, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 71

Noes: Quilici, Seifert, Uhde, Yardley.
Total 4

Excused: Cooney, Fagg, Harper, Huennekens, Iverson, Johnston, Keedy, Kessler, McBride, Metcalf, Nathe, Scully, Shelden, Spilker, Vinger.
Total 15

Absent or not voting: Azzara, Brand, Gould, Hemstad, Kanduch, Marks, Oberg, Ramirez, H. Robbins, South.
Total 10

On motion by O'Connell, the Adverse Committee Report on SJR 6 was adopted by the following vote: (40-38)

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Eudaily, Frates, Gesek, Gilligan, Harrington, Holmes, Hurwitz, Jensen, Johnson, Kemmis, Lory, Magone, Manning, Menahan, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, Rosenthal, Staigmiller, Uhde, Waldron, Williams, Yardley, Mr. Speaker.
Total 40

Noes: Anderson, Burnett, Conroy, Curtiss, Donaldson, Ellerd, Ellison, Ernst, Fabrega, Feda, Hand, Hayne, Hirsch, Keyser, Kropp, Kvaalen, Lien, Lund, Manuel, Marks, Meyer, Moore, Nordtvedt, K. Robbins, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Wood, Wyrick.
Total 38

Excused: Cooney, Fagg, Harper, Huennekens, Iverson, Johnston, Keedy, Kessler, McBride, Metcalf, Nathe, Scully, Shelden, Spilker, Vinger.
Total 15

Absent or not voting: Brand, Gould, Hemstad, Kanduch, Ramirez, H. Robbins, South.
Total 7

MOTIONS

Dussault moved that SB 302 be rereferred from the Committee on Rules to the Committee on Business and Industry. Motion carried.

Meyer moved that SB 32 pass consideration for the day. Motion carried.

Ramirez, Cooney, Metcalf, Fagg present at this time.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bill was introduced, read first time and referred to committee:

SB 234, introduced by McCallum. Referred to Committee on Taxation.

MOTIONS

Dussault moved that the rules be temporarily suspended to allow discussion and debate of a Standing Committee Report on Order of Business #2 this day. Motion carried.

REPORTS OF STANDING COMMITTEES

Do Pass

RULES (Dussault, Chairman): 3/9/79
Joint Rules, be amended as follows:

1. Page 28, line 16.
Following: "day"
Insert: ", except that Revenue Committee bills may be introduced until the 66th day"

And as amended, be adopted.

Report adopted by the following vote: (83-0)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Jensen, Johnson, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 83

Noes: None.
Total 0

Excused: Burnett, Harper, Huennekens, Iverson, Johnston, Keedy, Kessler, McBride, Nathe, Scully, Shelden, Spilker, Vinger.
Total 13

Absent or not voting: Kanduch, Meyer, H. Robbins, South.
Total 4

Spilker, Nathe, Scully, Iverson present at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Harrington in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 390 be concurred in. (64-5)

Shelden, Harper, Keedy present at this time.

That SB 442 be concurred in. (55-32)

That SB 496 be concurred in. (80-0)

South, Huennekens present at this time.

That SB 500 be concurred in. (83-7)

That the Committee rise and report and beg leave to sit again. (Harrington, Chairman). Report adopted. (87-1)

MOTIONS

Scully moved that SB 395 be taken from Third Reading and referred to the Committee on Judiciary. Motion carried.

Scully moved that SB 112 be taken from Second Reading and referred to the Committee on Judiciary. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 153 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Kessler, Quilici, Vinger.
Total 3

Absent or not voting: Yardley.
Total 1

Senate Bill No. 212 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Brand, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnson, Kanduch, Keedy, Keyser, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Scully, Seifert, Shelden, Sivertsen, South, Staigmiller, Stobie, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 72

Noes: Azzara, Bennett, Bertelsen, Burnett, Curtiss, Ellison, Fabrega, Feda, Hayne, Iverson, Johnston, Kemmis, Kropp, Lund, Meyer, Moore, Nordtvedt, Roth, Schultz, Smith, Spilker, Thoft, Underdal, Wood, Wyrick.
Total 25

Excused: Kessler, Quilici, Vinger.
Total 3

Absent or not voting: None.

Total 0

Senate Bill No. 215 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 87

Noes: Bennett, Bertelsen, Brand, Hayne, Holmes, McBride, Metcalf, Stobie, Uhde.
Total 9

Excused: Kessler, Quilici, Vinger.
Total 3

Absent or not voting: Nordtvedt.
Total 1

Senate Bill No. 251 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Eudaily, Fagg, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnson, Johnston, Kanduch, Keedy, Keyser, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Scully, Seifert, Shelden, South, Spilker, Staigmiller, Teague, Tropila, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 71

Noes: Ellison, Ernst, Fabrega, Feda, Frates, Hayne, Hemstad, Iverson, Kemmis, Kropp, Kvaalen, Meyer, Moore, Nathe, Nordtvedt, Sales, Schultz, Sivertsen, Smith, Stobie, Thoft, Uhde, Underdal, Wood, Wyrick.
Total 25

Excused: Kessler, Quilici, Vinger.
Total 3

Absent or not voting: Azzara.
Total 1

Senate Bill No. 278 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal,

Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Kessler, Quilici, Vinger.
Total 3

Absent or not voting: None.
Total 0

Senate Bill No. 281 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Kessler, Quilici, Vinger.
Total 3

Absent or not voting: Lory.
Total 1

Senate Bill No. 293 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Kessler, Quilici, Vinger.
Total 3

Absent or not voting: None.
Total 0

Senate Bill No. 341 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Burnett, Jensen, Smith, Stobie.
Total 4

Excused: Kessler, Quilici, Vinger.
Total 3

Absent or not voting: None.
Total 0

Senate Bill No. 342 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Kessler, Quilici, Vinger.
Total 3

Absent or not voting: Smith.
Total 1

Senate Bill No. 344 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie,

Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley.
Total 93

Noes: Nathe.
Total 1

Excused: Kessler, Quilici, Vinger.
Total 3

Absent or not voting: Holmes, Johnston, Mr. Speaker.
Total 3

Senate Bill No. 376 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Keyser, Kropp, Kvaalen, Lien, Lund, McBride, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 87

Noes: Azzara, Bengtson, Day, Dussault, Johnson, Kemmis, Lory, Magone, Manning, Waldron.
Total 10

Excused: Kessler, Quilici, Vinger.
Total 3

Absent or not voting: None.
Total 0

Senate Bill No. 382 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Kessler, Quilici, Vinger.
Total 3

Absent or not voting: None.
Total 0

Senate Bill No. 421 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley.
Total 90

Noes: Bardanouve, Sales, Smith.
Total 3

Excused: Kessler, Quilici, Vinger.
Total 3

Absent or not voting: Azzara, Kemmis, Reichert, Mr. Speaker.
Total 4

Senate Bill No. 423 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Oberg, Pavlovich, Pistoria, Porter, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 86

Noes: Hayne, Moore, Nordtvedt, O'Connell, Ramirez, Sales, Smith, Stobie, Tropila.
Total 9

Excused: Kessler, Quilici, Vinger.
Total 3

Absent or not voting: Ellison, Keedy.
Total 2

Senate Bill No. 427 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.

Total 91

Noes: Azzara, Brand, Huennekens, Kemmis.
Total 4

Excused: Kessler, Quilici, Vinger.
Total 3

Absent or not voting: McBride, Reichert.
Total 2

Senate Bill No. 498 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Schultz, Seifert, Shelden, Sivertsen, South, Spilker, Stobie, Teague, Thoft, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley.
Total 84

Noes: Ernst, Harper, Huennekens, Keyser, Moore, Nordtvedt, K. Robbins, Sales, Scully, Smith, Staigmiller, Mr. Speaker.
Total 12

Excused: Kessler, Quilici, Vinger.
Total 3

Absent or not voting: Tropila.
Total 1

Senate Joint Resolution No. 1 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: Feda, Frates.
Total 2

Excused: Kessler, Quilici, Vinger.
Total 3

Absent or not voting: Hayne.
Total 1

Senate Joint Resolution No. 10 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Hayne, Hemstad, Hirsch, Huennekens, Jensen, Johnston, Kanduch, Keyser, Kropp, Lien, Lund, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, Pavlovich, Pistoria, Porter, H. Robbins, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 73

Noes: Azzara, Bardanouve, Cooney, Dussault, Harper, Harrington, Holmes, Hurwitz, Iverson, Johnson, Keedy, Kemmis, Kvaalen, Lory, McBride, Nordtvedt, Oberg, Ramirez, Reichert, K. Robbins, Rosenthal, Uhde, Vincent, Waldron.
Total 24

Excused: Kessler, Quilici, Vinger.
Total 3

Absent or not voting: None.
Total 0

Senate Joint Resolution No. 22 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Burnett, Dozier, Moore, Sivertsen, Smith, Waldron.
Total 6

Excused: Kessler, Quilici, Vinger.
Total 3

Absent or not voting: None.
Total 0

Senate Joint Resolution No. 26 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.

Total 93

Noes: Ellis, Lory, Nordtvedt, Stobie.
Total 4

Excused: Kessler, Quilici, Vinger.
Total 3

Absent or not voting: None.
Total 0

REPORTS OF STANDING COMMITTEES

Do Pass

EDUCATION AND CULTURAL RESOURCES (Gilligan, Chairman): 3/9/79
SB 126, be concurred in. Report adopted.
SB 203, be concurred in. Report adopted.
SB 273, be concurred in. Report adopted.
SB 276, be concurred in. Report adopted.

JUDICIARY (Scully, Chairman): 3/9/79
SB 149, be concurred in. Report adopted.

SELECT COMMITTEE ON WATER (Day, Chairman): 3/9/79
SB 410, be concurred in. Report adopted.

Adverse Committee Reports

EDUCATION AND CULTURAL RESOURCES (Gilligan, Chairman): 3/9/79
SB 178, be not concurred in.

JUDICIARY (Scully, Chairman): 3/9/79
SB 261, be not concurred in.
SJR 12, be not concurred in.

Consent Calendar

Bill unanimously passed in committee and unanimously placed on Consent Calendar:

SELECT COMMITTEE ON WATER (Day, Chairman): 3/9/79
SB 40, be concurred in. Report adopted.

MOTIONS

Scully moved that SB 132 be taken from Second Reading and referred to the Committee on Judiciary. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Harrington in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 317 do pass. (66-26)

That the Committee rise and report. (Harrington, Chairman). Report adopted. (76-9)

REPORTS OF STANDING COMMITTEES

Dussault moved that all printing reports and Standing Committee Reports with a do pass recommendation be deemed read this day. Motion carried.

BILLS (Metcalf, Chairman): 3/9/79

Will be signed by the Speaker on adjournment, 3/9/79 - HB 16, HB 39, HB 70, HB 72, HB 133, HB 188, HB 226, HB 232, HB 279, HB 676, HB 709.

Correctly enrolled - HB 16, HB 39, HB 70, HB 72, HB 133, HB 188, HB 226, HB 232, HB 279, HB 676, HB 709.

Examined by the Sponsor and found to be correct - HB 16, HB 39, HB 70, HB 72, HB 133, HB 188, HB 226, HB 232, HB 279, HB 676, HB 709.

MOTIONS

Dussault moved that the rules be suspended to allow the presenters of appropriation bills adequate time to present them to the House members and not be limited to the five-minute gag rule on Second Reading. Motion carried.

SPECIAL ORDERS OF THE DAY

Consent Calendar

Questions were asked on SB 9, SB 10, SB 64.

Dussault moved that the House adjourn until 1:00 p.m., March 10, 1979.

Motion carried.

House adjourned at 5:21 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

FIFTY-SIXTH LEGISLATIVE DAY

Helena, Montana
March 10, 1979

House Chambers
Capitol Building

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Bertelsen, Burnett, Ellerd, Gould, Kropp, Lory, Quilici, Vinger, excused; Oberg, Shelden, absent. Quorum present.

MOTIONS

Kanduch moved that the foregoing House Legislative Memorials be spread upon the Journal and copies thereof be sent to the immediate members of the families and to the Montana Historical Society. Motion carried.

SPECIAL ORDERS OF THE DAY

HOUSE MEMORIAL SERVICE

Helena, Montana
March 10, 1979

The prelude was played by Ernest Neath, followed by a moment of silence.

Representative Kanduch sang "In The Garden," followed by the Invocation given by Reverend William Burkhardt.

The memorials were presented by Representative Fabrega. Following the presentation of each memorial, Representative Reichert and Representative Hayne lit a candle.

A LEGISLATIVE MEMORIAL
FOR THE HOUSE OF REPRESENTATIVES
OF THE LATE
C. R. ANDERSON

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-sixth Legislative Assembly record the passing of former Representative Anderson, on January 22, 1979, in Bozeman, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Anderson be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

C. R. Anderson was born and educated in Minnesota, he began his teaching career there before coming to Sidney in 1925. He married Alma Thompson in 1925 in Minnesota. He received his master's degree in 1939 from the University of Montana.

Anderson was a principal in Sidney, superintendent of Richey schools and superintendent of Livingston's elementary district for a year. He served as a Montana Education Association researcher and was deputy superintendent in the Office of Public Instruction. Mr. Anderson was an outstanding educator and gave many years of service to Montana's education program.

Representative Anderson is credited with the writing of Montana's first special education bill which he wrote with Arthur Westwell, then director of Boulder River School and Hospital.

In 1964 he ran unsuccessfully against Harriet Miller for Superintendent of Public Instruction. After his retirement from Helena schools, he moved to Dillon and was affiliated with Western Montana College from 1966 to 1974.

Representative Anderson served as a Republican from Beaverhead County in the 1975 session.

Survivors include his wife, Alma.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT we hereby express our esteem and respect to the memory of the honorable Representative Anderson and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Forty-sixth Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives of the Forty-sixth Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative Anderson's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

Harold E. Gerke, Speaker of the House of Representatives

Arlyne Reichert, Member of the Memorial Committee

Martha McGee, Chief Clerk of the House of Representatives

Howard Porter, Member of the Memorial Committee

Joe F. Kanduch, Chairman of the Memorial Committee

A LEGISLATIVE MEMORIAL
FOR THE HOUSE OF REPRESENTATIVES
OF THE LATE
RUSSELL CONKLIN

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-sixth Legislative Assembly record the passing of former Representative Conklin, on October 14, 1978, in Great Falls, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Conklin be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Russell Conklin was born in Winnebago, Minnesota. He was reared in Veradale in the Spokane Valley of Washington. There now is a street named Conklin there where the family farm was located.

He attended the University of Chicago, Gonzaga, Georgetown University law school and was graduated from University of Washington in Seattle. He then served as a personal secretary for Senator C. C. Dill. He met his wife, Dorothy, while working in Washington, D. C. where she was working for a Senator also.

He came to Great Falls in 1929 to be the Boy Scout Executive, a post he held until 1932. They returned to Washington and then came back to Great Falls in 1944 when he purchased the Great Falls Commercial College which he operated for 20 years.

Representative Conklin was a certified public accountant and a lawyer. He joined in a law practice with his sons, Richard, now deceased, and William in 1961.

Conklin was a part of the city's political life for a quarter century and a champion of causes, popular and unpopular. He became the 26th mayor of Great Falls in 1955 and while he was holding that office ran for the House of Representatives as a Democrat. He served in the legislative session while awaiting the court ruling on his dual office; he won the challenge. He served again in 1961. He became known in the legislature for his "Kill 'em Dead" Tramp Stamp Act to tax trading stamps and his support for a proposed home rule constitutional amendment which would have allowed cities to govern themselves within limits. He was an advocate of the single tax theory of Henry George. In 1964 he became county auditor and he held that position until his death.

Representative Conklin served as a president of a number of business, professional and public organizations. More recently he served as president of Chapter 198 of the American Association of Retired Persons, on the advisory board of the Cascade County Mental Health Center and on the boards of the Great Falls Crisis Center and the Senior Citizens Center.

Representative Conklin's wife preceded him in death, but he has two sons, William and Russell; eight grandchildren and one great grandchild.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT we hereby express our esteem and respect to the memory of the honorable Representative Conklin and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Forty-sixth Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives of the Forty-sixth Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative Conklin's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

Harold E. Gerke, Speaker of the House of Representatives

Arlyne Reichert, Member of the Memorial Committee

Martha McGee, Chief Clerk of the House of Representatives

Howard Porter, Member of the Memorial Committee

Joe F. Kanduch, Chairman of
the Memorial Committee

A LEGISLATIVE MEMORIAL FOR THE HOUSE OF REPRESENTATIVES OF THE LATE MILTON FLADAGER

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-sixth Legislative Assembly record the passing of former Representative Fladager, on July 20, 1977, in Peerless, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Fladager be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Milton Fladager was born in Scobey, September 26, 1918 but was raised in Peerless and received his education there. He served in the Army Air Corps during World War II. He married Lois Lowthian also of Peerless. Milton was a rancher and prominent citizen of Daniels County and was active in community affairs.

Representative Fladager served as a Republican for the 36th session in 1959. He was past president of the East Hi-Line Hereford Association, was a past master of the Scobey Masonic Lodge and was a former county chairman of the Republican Party. He was chairman of the Peerless school board for several years.

Milton is survived by his wife; sons, Loren, Wallace, Willard, Armand, Warren and a daughter, Kathleen, three brothers and three sisters.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT we hereby express our esteem and respect to the memory of the honorable Representative Fladager and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Forty-sixth Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives of the Forty-sixth Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative Fladager's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

Harold E. Gerke, Speaker of
the House of Representatives

Arlyne Reichert, Member of
the Memorial Committee

Martha McGee, Chief Clerk of
the House of Representatives

Howard Porter, Member of
the Memorial Committee

Joe F. Kanduch, Chairman of
the Memorial Committee

A LEGISLATIVE MEMORIAL
FOR THE HOUSE OF REPRESENTATIVES
OF THE LATE
OLE S. GUNDERSON

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-sixth Legislative Assembly record the passing of former Representative Gunderson, on December 22, 1978, in Columbia Falls, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Gunderson be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Representative Gunderson was born in Norway and came to the Great Falls area in 1916. He served in the U.S. Army in World War I and was a victim of one of the poison gas attacks in the trenches. Following the war he returned to this area and married Effie Bergman in 1920. He had proved up a homestead in 1918, in 1922 he quit his job at the Anaconda Company smelter and with $60 cash began farming the homestead 22 miles north of Great Falls.

In 1942 he was the talk of the area. After battling drought and insects and watching hail batter his crops to the ground over the years, he harvested a 50,000 bushel wheat crop on what had grown to be 2,400 acre dryland farm.

Representative Gunderson served six sessions beginning in the 27th session in 1941, 1943, 1945, 1949, 1953 and 1955 as a Democrat from Cascade County. He was chairman of the powerful House Ways and Means Committee. He served in 1955 on a special legislative committee appointed to dig into Montana tax problems after Hugo Aronson and the state tax chief told legislators only half of the state's wealth was on the tax rolls and "pay-as-you-go" state income taxing was needed to curb dodging.

He later served as secretary-treasurer of the Farmers Union Grain Terminal Association of St. Paul, with marketing facilities in Montana and three other states. In the mid 1950's it was called the largest regional grain marketing cooperation in the nation. He retired after 24 years of service. He was honored in 1965 for 15 years of service on the Selective Service System's appeals board, was a former member of the airport commission, and was a former member of the Steelworkers Local 16A and Carpenters Local 286.

The Gundersons celebrated their golden wedding anniversary in 1970 with a reunion with their seven children.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT we hereby express our esteem and respect to the memory of the honorable Representative Gunderson and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Forty-sixth Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives of the Forty-sixth Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative Gunderson's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

Harold E. Gerke, Speaker of the House of Representatives

Arlyne Reichert, Member of the Memorial Committee

Martha McGee, Chief Clerk of the House of Representatives

Howard Porter, Member of the Memorial Committee

Joe F. Kanduch, Chairman of the Memorial Committee

A LEGISLATIVE MEMORIAL FOR THE HOUSE OF REPRESENTATIVES OF THE LATE ISABEL JAMES

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-sixth Legislative Assembly record the passing of former Representative James, on September 14, 1978, in Dillon, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative James be filed on the official records of this Assembly and the following facts relative to her career are hereby noted:

Isabel James was born on September 1, 1923, and died on September 14, 1978. She attended schools in Salmon, Idaho, and Missoula where she received a bachelor's degree in English from the University of Montana. During World War II she served her country in the United States Navy and in May of 1944 married Robert H. James.

Active in her home community of Dillon, she was a member and past president of the CowBelles, and a member of the National Stockgrowers and 4-H Club. She was a lifetime member of St. James Episcopal Church.

Elected to the Montana State House of Representatives in 1964, Mrs. James served in the 1965 and the 1969 sessions. She was a 20-year member of the Grant school board, and a member of the Governor's Commission on the Status of Women.

All of her life Mrs. James worked on the family ranch at Horse Prairie where she and her family resided until her death.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT we hereby express our esteem and respect to the memory of the honorable Representative James and extend to the members of her family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Forty-sixth Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives of the Forty-sixth Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative James's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

Harold E. Gerke, Speaker of the House of Representatives

Arlyne Reichert, Member of the Memorial Committee

Martha McGee, Chief Clerk of the House of Representatives

Howard Porter, Member of the Memorial Committee

Joe F. Kanduch, Chairman of the Memorial Committee

A LEGISLATIVE MEMORIAL
FOR THE HOUSE OF REPRESENTATIVES
OF THE LATE
JOHN KARLBERG

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-sixth Legislative Assembly record the passing of former Representative Karlberg, on October 4, 1977, in Missoula, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Karlberg be filed on the offical records of this Assembly and the following facts relative to his career are hereby noted:

John Karlberg was born January 10, 1890 in Sweden and moved to Missoula in 1910. He married Sophie Johnson in Missoula April 28, 1917. They lived in Anaconda a few years before moving back to Missoula where they remained.

Representative Karlberg was a long time building contractor in Missoula. He was a member of the school board for many years. He was a Democrat who served during five sessions of the legislature; the 30th, 31st, 32nd, 35th and 36th sessions.

Mr. Karlberg was very active in organizations. He belonged to the Harmoney Lodge 49, AF&AM; Scottish Rite Bodies; Bagdad Temple Shrine, and Immanuel Chapter 54, Order of Eastern Star. He was also a 65-year member of Local 28 of the United Brotherhood of Carpenters and Joiners of America, and a member of the Order of Vasa and was a 50-year member of Missoula Lodge 556, Loyal Order of Moose.

Representative Karlberg is survived by his wife; a daughter, Agnes Nelson; two sons, Ralph and Karl; eight grandchildren and one great grandchild.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT we hereby express our esteem and respect to the memory of the honorable Representative Karlberg and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Forty-sixth Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives of the Forty-sixth Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative Karlberg's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

Harold E. Gerke, Speaker of the House of Representatives

Arlyne Reichert, Member of the Memorial Committee

Martha McGee, Chief Clerk of the House of Representatives

Howard Porter, Member of the Memorial Committee

Joe F. Kanduch, Chairman of the Memorial Committee

A LEGISLATIVE MEMORIAL FOR THE HOUSE OF REPRESENTATIVES OF THE LATE FREDERICK C. KRIEG

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-sixth Legislative Assembly record the passing of former Representative Krieg, on March 24, 1977, in Billings, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Krieg be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Frederick C. Krieg was born in Lamar, Arkansas in 1890. He graduated from Ellsworth College in Iowa Falls, Iowa and came to Montana in 1917 as the district manager for Drake-Ballard Company, mortgage loan bankers. Krieg served in World War I. In 1922 he established the F. C. Krieg Agency in Billings. He married Lottie Junod.

Mr. Krieg served in the legislature from 1943 to 1949 from Billings as a Republican. He was chairman of the Insurance Committee for several sessions, but was very interested in education and served on that committee all four sessions.

Mr. Krieg was a former director of the Yellowstone County Museum and a member of the Custer Battlefield Historical and Museum Association. He was instrumental in establishing the museum in Billings and Plenty Coups Museum in Pryor.

A former vice-president and director of Security Federal Savings and Loan Association, he retired in 1975 because of ill health.

Mr. Krieg was a 33rd degree Mason and a member of Scottish Rite and Shrine and also a 50-year member of the American Legion. He was a member of the United Methodist Church.

Representative Krieg's survivors include his wife; a son Gerald F. Krieg and a brother W. H. Krieg and two grandchildren.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT we hereby express our esteem and respect to the memory of the honorable Representative Krieg and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Forty-sixth Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives of the Forty-sixth Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative Krieg's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

Harold E. Gerke, Speaker of the House of Representatives

Arlyne Reichert, Member of the Memorial Committee

Martha McGee, Chief Clerk of the House of Representatives

Howard Porter, Member of the Memorial Committee

Joe F. Kanduch, Chairman of the Memorial Committee

A LEGISLATIVE MEMORIAL FOR THE HOUSE OF REPRESENTATIVES OF THE LATE LEE METCALF

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-sixth Legislative Assembly record the passing of former Representative Metcalf, on January 12, 1978 in Helena, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Metcalf be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Today we honor the late U.S. Senator Lee Metcalf, and it is good to reflect upon his many accomplishments as a public figure in state and federal politics. We can as Montanans take great pride in the sheer wisdom and foresight of this man. Future generations will hail the name of Lee Metcalf for his courage and brilliance in meeting the challenge of his time and the manner in which he did it.

Lee Metcalf was a modest and unassuming man. He shunned publicity and because of this the populace was not exposed to his true personality.

But perhaps ironically, when the annals of history are recorded, Lee out of all the Senators who represented Montana will best depict the most accurate picture of the people of Montana. He was a rugged individualist, unpretentious, but firmly committed to principle and truth. One never had to figure out what Lee was up to, because he told you. Such candor is a trait seldom found in our public officials today. Along with his bluntness was a sharp wit, which brought a ready laugh to friend and political foe.

The first native Montanan to serve in the U.S. Senate was born Janurary 28, 1911 in Stevensville, Montana to Harold E. Metcalf, cashier of the First State Bank and Rhoda Smith Metcalf, daughter of Bitter Root Valley pioneers. Lee Metcalf attended grade and high school in Stevensville. He graduated with a degree in history and economics from Stanford University. In 1936, he received a law degree from the University of Montana and set up law practice in Hamilton. During that same year he was elected to the Montana House of Representatives as a representative for the 25th Legislative Assembly from Ravalli County. This marked his entry into the political arena which was to span over the next forty years. After the 1937 legislature Lee Metcalf resigned his position to accept appointment as Assistant Attorney General for the State of Montana. He held this post until he enlisted in the Army in 1941. Returning to Hamilton after the service he again opened a private law practice and lived there until his election in 1946 to the Montana Supreme Court as an Associate Justice. In 1952 he was elected to the U.S. Congress as the Representative for the First District and served four terms in that body before his election to three consecutive terms in the U.S. Senate in 1960 where he served 17 years before his death on January 12, 1978 at his home in Helena.

Lee Metcalf's record both as a Justice and as a member of Congress was one of substance. He was recognized to have the best legal mind in the Senate and many of his opinions as a Justice are still referred to. As testimony to his tremendous legal ability, in 1970 Congress passed the District of Columbia Crime Bill, with the no knock provision. His was the lone dissenting vote against it, calling it flagrantly unconstitutional. The U.S Supreme Court vindicated his judgment and later declared it unconstitutional. The other areas which leave his strong imprint include: education, conservation, consumer affairs and public utilities.

During his four terms in the U.S. House, he served as a member of the Ways and Means Committee, Education and Labor Committee, Interior and Insular Affairs Committee and the Committee on Astronautics and Space Exploration. In the U.S. Senate he was a member of the Public Works Committee, Labor and Public Welfare Committee, Finance Committee, Energy and Natural Resources Committee and the Committee on Governmental Affairs. Senator Metcalf's ability as a master parlimentarian was highly regarded by his colleagues and because of this he was continually elected Acting President Pro-tempore of the Senate from 1963 on. This position he held longer than any other Senator in the history of the U.S. Senate.

Lee Metcalf was a man with a great heart. This characteristic showed thoroughly in all his endeavors for public causes. We in Montana recognize that there won't be one like him for a long time to come, and feel blessed to have known him as our friend.

Survivors include his wife, Donna; his son, Jerry; his mother, Mrs. Rhoda Metcalf; and his sister, Mrs. Julia Riordan of Buena Park, California.

NOW, THEREFORE BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT we hereby express our esteem and respect to the memory of the honorable Representative Metcalf and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Forty-sixth Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives of the Forty-Sixth Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative Metcalf's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

Harold E. Gerke, Speaker of the House of Representatives

Arlyne Reichert, Member of the Memorial Committee

Martha McGee, Chief Clerk of the House of Representatives

Howard Porter, Member of the Memorial Committee

Joe F. Kanduch, Chairman of the Memorial Committee

A LEGISLATIVE MEMORIAL
FOR THE HOUSE OF REPRESENTATIVES
OF THE LATE
THOMAS M. MURRAY

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-sixth Legislative Assembly record the passing of former Representative Murray, on April 5, 1976, in Missoula, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Murray be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Thomas M. Murray was born on March 22, 1904 in Anaconda of pioneer parents in the Anaconda area. He attended school there and worked in the ACM smelter. On September 20, 1930 he married the former Thelma Madsen in Anaconda. He was elected secretary of the local smeltermen's union and later served as an organizer for the Mine, Mill and Smelterworkers Union.

Representative Murray served as a Democratic legislator in the 26th and 27th sessions from Deer Lodge County. He was a representative to the executive board of the International Mine, Mill and Smeltermen's Union during World War II. He later owned and operated a bar in Anaconda until he moved to Missoula in 1950. He was employed at the Missoula Hotel and owned and operated the Treasure State Motel until his retirement in 1970.

Mr. Murray was a member of the Elks and was past secretary of the Missoula Motel Association.

Representative Murray is survived by his wife; a daughter, Mrs. Marlene Nelson; a son, Brian; two sisters and five grandchildren.

NOW THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT we hereby express our esteem and respect to the memory of the honorable Representative Murray and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Forty-sixth Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives of the Forty-sixth Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative Murray's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

Harold E. Gerke, Speaker of the House of Representatives

Arlyne Reichert, Member of the Memorial Committee

Martha McGee, Chief Clerk of the House of Representatives

Howard Porter, Member of the Memorial Committee

Joe F. Kanduch, Chairman of the Memorial Committee

A LEGISLATIVE MEMORIAL
FOR THE HOUSE OF REPRESENTATIVES
OF THE LATE
MARGARET PETERSON

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-sixth Legislative Assembly record the passing of former Representative Margaret Peterson, on December 11, 1977, in Missoula, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Represenative Peterson be filed on the official records of this Assembly and the following facts relative to her career are hereby noted:

Margaret Peterson was born on March 12, 1909, in Palmyra, Nebraska, and was raised in Omaha. In 1936 she married Gustave Frederick Peterson, Jr. She died in Missoula on December 11, 1977.

Mrs. Peterson was a news broadcaster for KGVO Radio, a laboratory technician at Western Montana Clinic, a superintendent of Missoula County Hospital and an employee of Montana Power Company.

She served one session in the House of Representatives in 1943.

NOW, THEREFORE BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT we hereby express our esteem and respect to the memory of the honorable Representative Peterson and extend to the members of her family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Forty-sixth Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives of the Forty-sixth Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative Peterson's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

Harold E. Gerke, Speaker of the House of Representatives

Arlyne Reichert, Member of the Memorial Committee

Martha McGee, Chief Clerk of the House of Representatives

Howard Porter, Member of the Memorial Committee

Joe F. Kanduch, Chairman of the Memorial Committee

A LEGISLATIVE MEMORIAL
FOR THE HOUSE OF REPRESENTATIVES
OF THE LATE
ED PICARD

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-sixth Legislative Assembly record the passing of former Representative Picard, on February 19, 1979, in Butte, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Picard be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Edward R. Picard was born March 8, 1921 in Butte, Montana. He attended Butte Central High School and was an all-state football player. He also attended the University of Montana.

Picard was a Navy veteran of World War II and was later named the first Civil Defense director of Silver Bow County. He was the first assistant director of the Anti-Poverty Council when it was formed thirteen years ago. He later became coordinator for the Council's Neighborhood Center, then was named director, a position he held at the time of his death.

Mr. Picard was a Democrat in the House of Representatives for three sessions beginning in 1957 from Butte.

Edward was a member of the Butte Catholic Education Board, Elks and the United Commercial Travelers 106; and he was treasurer of the Boulevard Volunteer Fire Department. He was a committee chairman for Butte's Celebration Committee since its inception five years ago.

Representative Picard is survived by his wife, Mary Lou; his sons, Robert, Steve, Pat; his daughters, Diane, Linda; his sister, Laverne Kruzich; and two grandchildren.

NOW, THEREFORE BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT we hereby express our esteem and respect to the memory of the honorable Representative Picard and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Forty-sixth Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives of the Forty-sixth Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative Picard's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

Harold E. Gerke, Speaker of the House of Representatives

Arlyne Reichert, Member of the Memorial Committee

Martha McGee, Chief Clerk of the House of Representatives

Howard Porter, Member of the Memorial Committee

Joe F. Kanduch, Chairman of the Memorial Committee

A LEGISLATIVE MEMORIAL
FOR THE HOUSE OF REPRESENTATIVES
OF THE LATE
THOMAS TOBIN

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-sixth Legislative Assembly record the passing of former Representative Tobin, on January 3, 1978, in Butte, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Tobin be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Thomas Tobin, former legislator from Butte, was born April 25, 1910 in Butte. He attended Butte schools, Custer County High School, Notre Dame University, Montana Tech and was graduated from the University of Montana in business administration. He married Helen Trask of Deer Lodge in 1938.

Thomas was an accountant for the Anaconda Company in Butte and coached grade and high school teams. He later became coach and professor of physical education at Tech.

He was a member of the House of Representatives during the 33rd and 34th sessions in 1953 and 1955. He was a Democrat.

At the time of his retirement, Representative Tobin was an accountant for the Highway Department. Upon his retirement, the family moved to Gunnison, Colorado.

He was a member of the Church of the Good Samaritan in Gunnison and Phi Sigma Kappa Fraternity.

Thomas Tobin is survived by his wife; his sons, Thomas Jr., John, Robert, Daniel and Patrick and his daughter, Mary Helen Thorton.

NOW, THEREFORE BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT we hereby express our esteem and respect to the memory of the honorable Representative Tobin and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Forty-sixth Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives of the Forty-sixth Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative Tobin's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

Harold E. Gerke, Speaker of the House of Representatives

Arlyne Reichert, Member of the Memorial Committee

Martha McGee, Chief Clerk of the House of Representatives

Howard Porter, Member of the Memorial Committee

Joe F. Kanduch, Chairman of the Memorial Committee

Representative Porter then gave a tribute.

"You'll Never Walk Alone," and "How Great Thou Art" were then sung by the House Legislative Choir; Representative Kanduch, Robert F. Wilcox, Representative Harper, Representative Ernst, Representative Fabrega, Representative Meyer, Representative Marks, Representative Keedy, Thomas H. Pelletier and Representative Hurwitz.

Reverend Burkhardt then gave the closing prayer, followed by "The Lord's Prayer" sung by Vera Gerke.

MEMORIAL COMMITTEE OF THE HOUSE

Joe F. Kanduch, Chairman

Arlyne Reichert
Howard Porter

House stood at ease at 1:43 p.m.

House reconvened at 2:07 p.m.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 3/9/79
Correctly printed - HB 402, HB 768, HB 852, HJR 33, HJR 50.

Will be signed by the Speaker on adjournment, 3/10/79 - SB 55, SB 68, SB 117, SB 179, SB 192, SB 201, SB 272, SB 328, SJR 17.

Adverse Committee Reports

Seifert, Bennett, Marks, Sales, Keyser, Schultz, Manning, Kvaalen, Nathe, Donaldson objected that SB 261 was reported out of committee with a be not concurred in recommendation and requested that the bill be referred to Second Reading.

MESSAGES FROM THE OTHER HOUSE

House Bills concurred in as amended and returned to the House for concurrence in Senate Amendments: 3/9/79

House Bill No. 113, introduced by Bardanouve

House Bill No. 132, introduced by Eudaily, Kvaalen, et al

House Bill No. 187, introduced by Bardanouve

House Bill No. 224, introduced by Conroy

House Bill No. 229, introduced by Sales, Nordtvedt, et al

House Bill No. 242, introduced by Harper, Ramirez, Tropila

House Bill No. 301, introduced by Quilici, Lory, et al

House Bill No. 330, introduced by Manuel

House Bill No. 332, introduced by Keyser

House Bill No. 352, introduced by Kessler, Azzara, et al

House Bill No. 443, introduced by Feda, Brand, Donaldson, et al

House Bill No. 577, introduced by Donaldson, Staigmiller

House Bill No. 763, introduced by Eudaily, Lory, et al

House Bills and House Joint Resolution concurred in and returned to the House: 3/9/79

House Bill No. 126, introduced by Nathe

House Bill No. 278, introduced by Bardanouve, Thiessen, Burnett

House Bill No. 288, introduced by Donaldson, Spilker, Harper, Williams

House Bill No. 322, introduced by Harrington

House Bill No. 391, introduced by Hemstad, Pistoria

House Bill No. 403, introduced by Ellis

House Bill No. 499, introduced by Johnson, Quilici, et al

House Bill No. 505, introduced by Lund, Gesek

House Bill No. 670, introduced by O'Connell

House Bill No. 739, introduced by Day

House Bill No. 802, introduced by Lien

House Joint Resolution No. 18, introduced by Waldron, Norman, et al

House Amendments to Senate Bill concurred in: 3/9/79

House Amendments to Senate Bill No. 193, introduced by Jergeson, et al

House Bill not concurred in and returned to the House: 3/9/79

House Bill No. 663, introduced by Brand

The Senate on 3/9/79, on motion duly carried by a two-thirds voting majority, amended Senate Joint Resolution No. 2, Joint Rule, Chapter 6, (6-7), as follows:

1. Page 28, line 16.
Following: "day"
Insert: ", except that Revenue Committee bills may be introduced until the 66th day"

Conference Committee Report adopted: 3/7/79

Conference Committee Report on House Amendments to Senate Bill No. 78

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 296 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Conroy, Cooney, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harper, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, O'Connell, Pistoria, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 71

Noes: Brand, Curtiss, Day, Eudaily, Hemstad, Keyser, Meyer, Pavlovich, Sales, Seifert, Stobie, Thoft, Underdal, Wood, Wyrick.
Total 15

Excused: Bertelsen, Burnett, Ellerd, Gould, Kropp, Oberg, Porter, Quilici, Vinger.
Total 9

Absent or not voting: Harrington, Lory, Nordtvedt, Ramirez, Shelden.
Total 5

Senate Bill No. 310 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dussault, Ellis, Ernst, Eudaily,

Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Ramirez, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 80

Noes: Brand, Curtiss, Dozier, Huennekens, Sales.
Total 5

Excused: Bertelsen, Burnett, Ellerd, Gould, Kropp, Oberg, Porter, Quilici, Vinger.
Total 9

Absent or not voting: Ellison, Harrington, Lory, Reichert, Shelden, Wood.
Total 6

Senate Bill No. 332 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Scully, Seifert, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 81

Noes: Brand, Curtiss, Roth, Sales, Smith, Stobie.
Total 6

Excused: Bertelsen, Burnett, Ellerd, Gould, Kropp, Oberg, Porter, Quilici, Vinger.
Total 9

Absent or not voting: Gilligan, Lory, Shelden, Wyrick.
Total 4

Senate Bill No. 334 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, O'Connell, Pavlovich, Pistoria, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Sivertsen, South, Spilker, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 76

Noes: Brand, Curtiss, Hayne, Hurwitz, Marks, Nathe, Nordtvedt, K. Robbins, Sales, Smith, Staigmiller, Stobie, Wyrick.
Total 13

Excused: Bertelsen, Burnett, Ellerd, Gould, Kropp, Oberg, Porter, Quilici, Vinger.
Total 9

Absent or not voting: Lory, Shelden.
Total 2

Senate Bill No. 336 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 87

Noes: Brand, Curtiss.
Total 2

Excused: Bertelsen, Burnett, Ellerd, Gould, Kropp, Oberg, Porter, Quilici, Vinger.
Total 9

Absent or not voting: Lory, Shelden.
Total 2

Senate Bill No. 338 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Brand.
Total 1

Excused: Bertelsen, Burnett, Ellerd, Gould, Kropp, Porter, Quilici, Vinger.
Total 8

Absent or not voting: Lory, Shelden.
Total 2

Senate Bill No. 339 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Hand, Harper,

Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lund, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Scully, Seifert, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 80

Noes: Brand, Curtiss, Gesek, Hayne, Manning, Nordtvedt, Sales, Smith, Stobie.
Total 9

Excused: Bertelsen, Burnett, Ellerd, Gould, Kropp, Porter, Quilici, Vinger.
Total 8

Absent or not voting: Lory, Roth, Shelden.
Total 3

Oberg present at this time.

Senate Bill No. 350 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: Brand.
Total 1

Excused: Bertelsen, Burnett, Ellerd, Gould, Kropp, Porter, Quilici, Vinger.
Total 8

Absent or not voting: Hand, Lory, Shelden.
Total 3

Senate Bill No. 396 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lund, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.

Total 87

Noes: Manning, Scully.
Total 2

Excused: Bertelsen, Burnett, Ellerd, Gould, Kropp, Porter, Quilici, Vinger.
Total 8

Absent or not voting: Lory, Shelden, Thoft.
Total 3

Senate Bill No. 407 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, South, Spilker, Staigmiller, Teague, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 79

Noes: Brand, Hayne, Keyser, Scully, Smith, Stobie, Thoft, Tropila, Underdal, Wyrick.
Total 10

Excused: Bertelsen, Burnett, Ellerd, Gould, Kropp, Porter, Quilici, Vinger.
Total 8

Absent or not voting: Lory, Shelden, Wood.
Total 3

Senate Bill No. 466 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: None.
Total 0

Excused: Bertelsen, Burnett, Ellerd, Gould, Kropp, Porter, Quilici, Vinger.
Total 8

Absent or not voting: Lory, Shelden.
Total 2

Senate Joint Resolution No. 19 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 84

Noes: Azzara, Bardanouve, Dussault, Holmes, Meyer, Vincent.
Total 6

Excused: Bertelsen, Burnett, Ellerd, Gould, Kropp, Porter, Quilici, Vinger.
Total 8

Absent or not voting: Lory, Shelden.
Total 2

Consent Calendar

Senate Bill No. 9 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 87

Noes: Brand, Staigmiller.
Total 2

Excused: Bertelsen, Burnett, Ellerd, Gould, Kropp, Porter, Quilici, Vinger.
Total 8

Absent or not voting: Hayne, Lory, Shelden.
Total 3

Senate Bill No. 10 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lund, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Stobie,

Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 86

Noes: Brand, Manning, Scully, Staigmiller.
Total 4

Excused: Bertelsen, Burnett, Ellerd, Gould, Kropp, Porter, Quilici, Vinger.
Total 8

Absent or not voting: Lory, Shelden.
Total 2

Senate Bill No. 64 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lund, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Seifert, Sivertsen, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 83

Noes: Brand, Manning, Roth, Scully, Smith, Staigmiller.
Total 6

Excused: Bertelsen, Burnett, Ellerd, Gould, Kropp, Porter, Quilici, Vinger.
Total 8

Absent or not voting: Azzara, Lory, Shelden.
Total 3

MOTIONS

Marks moved that HB 317 be taken from Engrossing and placed on Second Reading. Motion failed. (37-51)

Nathe moved that the House reconsider its action in adopting the Adverse Committee Report on SJR 6 on the Fifty-fifth Legislative Day. Motion carried. (68-19)

Conroy moved that he be allowed to read a telegram sent to him by former Senator Sam Ervin. Motion carried. (79-3)

REP TOM CONROY
CARE PAT SHERRILL
VOLUME I
CHRISTIAN BOOK STORE
509 NORTH SANDERS
HELENA MT 59601

WHEN THE CONGRESS EXTENDED THE TIME FOR RATIFYING ERA IT MANIFESTED ITS CONTEMPT FOR THE CONSTITUTION. THE SUPREME COURT HELD IN DILLON VERSUS GLOSS CONGRESS DOES NOT HAVE THE POWER TO EXTEND THE TIME FOR RATIFYING A PROPOSED CONSTITUTION AMENDMENT. IT

CAN ONLY SUBMIT THE AMENDMENT ANEW A SECOND TIME. THE SUPREME COURT HELD IN THAT CASE THAT SEVEN YEARS IS A REASONABLE TIME TO RATIFY AND AMENDMENT. I SINCERELY HOPE THAT MONTANA WILL ADOPT THE RESOLUTION OF NULLIFYING ITS PRIOR RATIFICATION IF THE AMENDMENT IS NOT RATIFIED BY MARCH 22. BY SO DOING MONTANA WILL STRIKE A BLOW FOR CONSTITUTIONAL GOVERNMENT IN AMERICA.

SAM J. ERVIN JR

Vincent moved that the Journal reflect that the members of the Natural Resources Committee; Bertelsen, Burnett, Cooney, Curtiss, Fagg, Harper, Huennekens, Iverson, Johnston, Keedy, Kessler, McBride, Metcalf, Nathe, Quilici, Scully, Shelden, Spilker, Thoft, be excused for the Fifty-fifth Legislative Day because they were on official legislative business. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 908, introduced by Quilici, Yardley, Feda, Daily, Porter, Gilligan, Ramirez, Dussault, Vincent, Harrington, Gerke, Moore, Sales, Pavlovich, Menahan, Wood. Referred to Committee on Appropriations.

HJR 55, introduced by Ramirez, Turnage. Referred to Committee on Judiciary.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Vincent moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Kemmis in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 32 be concurred in. (82-1)

Sales excused at this time.

That HB 416, second reading copy, be amended as follows: (76-0)

1. Page 3, line 20.
Following: "of"
Insert: "the"

2. Page 3, line 21.
Following: "fund"
Insert: "money"

That HB 416, second reading copy, be further amended as follows: (90-0)

1. Page 4.
Following: line 6

Insert: "Section 6. Effective date. This act is effective on its passage and approval."

That HB 416, second reading copy, be further amended as follows: (50-47)

1. Page 3, line 19.
Strike: "50,000"
Insert: "100,000"

2. Page 4, line 6.
Strike: "$2,700,200"
Insert: "$2,750,200"

And as amended, do pass. (63-28)

Dussault moved that the Committee rise and report. (Kemmis, Chairman). Report adopted. (65-18)

REPORTS OF STANDING COMMITTEES

Do Pass

TAXATION (Huennekens, Chairman): 3/10/79
HB 630, introduced bill, be amended as follows:

1. Page 5, line 9.
Following: "of"
Strike: "15-6-301"
Insert: "15-16-301"

And as amended, do pass. Report adopted.

STATEMENT OF INTENT RE: House Bill No. 630

A Statement of Intent is required by House Bill 630 because section 6 grants rule-making authority to the Department of Revenue in order to administer the property tax deferral program contained within the bill.

Rule-making authority is granted to the department because the department is assigned the duties of determining the validity of applications for the program, issuing vouchers for the satisfaction of deferred property taxes, causing warrants to be drawn for payment to county treasurers for the redemption of deferral vouchers, filing liens against homes on which property taxes have been deferred, maintaining an account showing the tax and interest as they become due, and annually notifying the owner of property liable for deferred taxes of the balance in his deferred tax account and the application requirement he must fulfill if he wishes to defer additional property taxes.

The program provided in House Bill 630 will require coordination between the state and each county in order to replace local property taxes that will be deferred. Rule-making authority is intended to give the department the flexibility to design a workable program and avoid administrative detail in the statutes.

/s/Huennekens

Adverse Committee Reports

TAXATION (Huennekens, Chairman): 3/10/79
HB 395, do not pass.
HB 753, do not pass.

On motion by Gilligan, the Adverse Committee Report on SB 178 was adopted by the following vote: (66-20)

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Cooney, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Fabrega, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, McBride, Magone, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Scully, Shelden, Sivertsen, Smith, South, Staigmiller, Teague, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 66

Noes: Bennett, Brand, Conroy, Curtiss, Daily, Eudaily, Hayne, Hemstad, Hirsch, Lund, Manning, Manuel, Marks, Nathe, Pistoria, Roth, Spilker, Stobie, Wood, Wyrick.
Total 20

Excused: Bertelsen, Burnett, Ellerd, Gould, Kropp, Porter, Quilici, Sales, Vinger.
Total 9

Absent or not voting: Azzara, Fagg, Holmes, Seifert, Underdal.
Total 5

On motion by Scully, the Adverse Committee Report on SJR 12 was adopted by the following vote: (56-30)

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Eudaily, Fabrega, Frates, Gesek, Gilligan, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Moore, Oberg, Pavlovich, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Scully, Shelden, South, Teague, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 56

Noes: Bennett, Brand, Conroy, Curtiss, Donaldson, Ellison, Ernst, Feda, Hand, Hayne, Hemstad, Hurwitz, Iverson, Jensen, Keyser, Kvaalen, Lund, Marks, Meyer, Nathe, Pistoria, Ramirez, Schultz, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Wood, Wyrick.
Total 30

Paired: Holmes, Quilici, Ayes; Kvaalen, Smith, Noes.

Excused: Bertelsen, Burnett, Ellerd, Gould, Kropp, Porter, Sales, Vinger.
Total 8

Absent or not voting: Azzara, Fagg, Nordtvedt, O'Connell, Seifert, Underdal.
Total 6

MOTIONS

Nathe moved that pursuant to his previous motion made on reconsideration of action on SJR 6, that the House request the Senate to return SJR 6. Motion carried. (54-27)

Dussault moved that the House accede to the request of the Senate and return HB 618 for reconsideration. Motion carried. (64-16)

SPECIAL ORDERS OF THE DAY

Consent Calendar

Questions were asked on SB 40.

Dussault moved that the House adjourn until 2:30 p.m., March 12, 1979.

Motion carried.

House adjourned at 4:37 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

FIFTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
March 12, 1979

House Chambers
Capitol Building

House convened at 2:29 p.m., Mr. Speaker in the Chair. Invocation by Representative Harper. Pledge of Allegiance to the Flag.

Roll call. All members present except Day, Dussault, Kessler, excused; Fagg, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Fifty-second Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 3/12/79

Signed by the Speaker on adjournment, 3/9/79 - HB 16, HB 39, HB 70, HB 72, HB 133, HB 188, HB 226, HB 232, HB 279, HB 495, HB 676, HB 709, HJR 10, HJR 16.

Delivered to the Governor for his approval at 11:06 a.m., 3/12/79 - HB 16, HB 39, HB 70, HB 72, HB 133, HB 188, HB 226, HB 232, HB 279, HB 495, HB 676, HB 709.

Considered correctly engrossed - HB 317.

Signed by the Speaker, 3/10/79 - SB 55, SB 68, SB 117, SB 179, SB 192, SB 201, SB 272, SB 328, SJR 17.

COMMUNICATIONS AND PETITIONS

Kemmis introduced the University of Montana Chamber Chorale and Brass Ensemble who sang and played several selections for the House members.

MESSAGES FROM THE OTHER HOUSE

House Bills concurred in as amended and returned to the House for concurrence in Senate Amendments: 3/10/79

House Bill No. 212, introduced by South, Fasbender

House Bill No. 238, introduced by Lund

House Bill No. 251, introduced by Johnson, Harrington, Hirsch, et al

House Bill No. 264, introduced by Moore, Marks, Scully

House Bill No. 283, introduced by Moore, Gilligan

House Bill No. 408, introduced by Vinger, Jensen, Anderson, et al

House Bill No. 422, introduced by Lory, Porter, Magone, et al

House Bill No. 485, introduced by Lund

House Bill No. 594, introduced by Scully

House Bill No. 881, introduced by House Business and Industry Committee

House Bills and House Joint Resolution concurred in and returned to the House: 3/10/79

House Bill No. 61, introduced by Waldron

House Bill No. 145, introduced by Scully, Moore, Dussault

House Bill No. 166, introduced by Hemstad, McBride, Cooney

House Bill No. 276, introduced by Eudaily, Ellis, Meyer, et al

House Bill No. 327, introduced by Fabrega, Moore

House Bill No. 328, introduced by Ellerd, Thiessen

House Bill No. 337, introduced by Stobie, Keyser

House Bill No. 341, introduced by Gerke

House Bill No. 392, introduced by McBride, Quilici, Manning, et al

House Joint Resolution No. 8, introduced by Harrington, Johnson, Cooney, et al

House Bill not concurred in and returned to the House: 3/10/79

House Bill No. 793, introduced by Fabrega

The Senate on 3/10/79, requested the return of the following House Bill for further consideration:

House Bill No. 663, introduced by Brand

House Amendments to Senate Bills concurred in: 3/10/79

House Amendments to Senate Bill No. 196, introduced by Conover, Jergeson, et al

House Amendments to Senate Bill No. 209, introduced by S. Brown, Thomas, et al

House Amendments to Senate Bill No. 264, introduced by Boylan, Hager

House Bill not concurred in and returned to the House: 3/10/79

House Bill No. 162, introduced by Eudaily, Lory, Harrington, et al

MOTIONS

Vincent moved that the Journal reflect Representative Lory as excused on the Fifty-sixth Legislative Day. Motion carried. (72-0)

Azzara moved that the Journal reflect, and the vote be recorded, as "aye" on adoption on the Adverse Committee Report on SJR 12 on the Fifty-sixth Legislative Day for the following representatives: Azzara, Bertelsen, Fagg. Motion carried unanimously. (76-0)

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Vincent moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Johnson in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 573 do pass. (72-8)

That SB 80 be concurred in. (85-3)

That SB 81 be concurred in. (85-0)

Day present at this time.

That SB 97 be concurred in. (53-42)

That SB 100 be concurred in. (72-15)

That SB 113 be concurred in. (80-1)

Gesek excused at this time.

That SB 156 be concurred in. (82-0)

That SB 208, third reading copy, be amended as follows: (68-14)

1. Page 11, line 20 through line 21 on page 12.
Strike: section 20 in its entirety
Renumber: subsequent sections

And as amended, be concurred in. (72-8)

Dussault present at this time.

Scully moved that the House recess for 5 minutes. Motion carried. (73-4)

House recessed at 4:56 p.m.

House reconvened at 5:03 p.m.

Dussault replaced Johnson in the Chair.

That SB 280, third reading copy, be amended as follows: (72-13)

1. Page 1, line 11.
Strike: "are as follows"
Insert: "shall include but shall not be limited to the following"

2. Page 1.
Following: line 18
Insert: "SECTION 2. THERE IS A NEW MCA SECTION THAT READS:

Additional holidays. Additional holidays may be agreed upon between the board of trustees of the district and the district's employees."
Renumber: subsequent section

3. Page 1, line 22.
Following: "districts."
Insert: "Employees' leave time shall be as agreed upon by the board of trustees and the employees of the district."

And as amended, be concurred in. (53-45)

Johnson back in the Chair.

That SB 288 be concurred in. (90-0)

Baeth moved that SB 304 and SB 406 pass consideration for the day. Motion carried.

That SB 321 be concurred in. (89-0)

That SB 322 be concurred in. (87-0)

That SB 367 be concurred in. (84-0)

O'Connell moved that SB 377 pass consideration until the Fifty-ninth Legislative Day. Motion carried.

That SB 432 be concurred in. (83-0)

That SB 435 be concurred in. (77-7)

That SB 450 be concurred in. (79-4)

That SB 467 be concurred in. (87-1)

That SB 488 be concurred in. Motion failed. (17-73)

That SB 488 be not concurred in. (79-12)

That the Committee rise and report. (Johnson, Chairman). Johnson moved that the committee report be deemed read. Motion carried. Report adopted. (83-12)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 59 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Keyser, Kropp, Kvaalen, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Hayne, Smith, Stobie, Underdal.
Total 4

Excused: Gesek, Kessler.
Total 2

Absent or not voting: Bardanouve, Keedy, Lien, Pistoria, Scully.
Total 5

Senate Bill No. 185 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici,

Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Gesek, Kessler.
Total 2

Absent or not voting: Dassinger, Eudaily, Lien, Teague.
Total 4

Senate Bill No. 227 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Gesek, Kessler.
Total 2

Absent or not voting: Kemmis.
Total 1

Senate Bill No. 305 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Brand, Burnett, Curtiss, Nordtvedt, Roth, Smith.
Total 6

Excused: Gesek, Kessler.
Total 2

Absent or not voting: None.

Total 0

Senate Bill No. 307 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: Burnett, Smith.
Total 2

Excused: Gesek, Kessler.
Total 2

Absent or not voting: None.
Total 0

Senate Bill No. 314 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Burnett, Curtiss, Ellerd, Nordtvedt, Roth, Sales, Smith.
Total 7

Excused: Gesek, Kessler.
Total 2

Absent or not voting: Ellison, Hayne.
Total 2

Senate Bill No. 333 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden,

Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Bennett, Brand, Burnett, Curtiss, Nordtvedt, Smith, Stobie.
Total 7

Excused: Gesek, Kessler.
Total 2

Absent or not voting: Keedy.
Total 1

Senate Bill No. 335 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 92

Noes: Burnett, Curtiss, Ramirez, Roth, Wyrick.
Total 5

Excused: Gesek, Kessler.
Total 2

Absent or not voting: Stobie.
Total 1

Senate Bill No. 337 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 90

Noes: Brand, Burnett, Nordtvedt, Roth, Smith, Stobie, Wyrick.
Total 7

Excused: Gesek, Kessler.
Total 2

Absent or not voting: Pistoria.
Total 1

Senate Bill No. 340 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 83

Noes: Brand, Burnett, Curtiss, Ellerd, Keyser, Nordtvedt, Roth, Sales, Smith, Thoft.
Total 10

Excused: Gesek, Kessler.
Total 2

Absent or not voting: Hirsch, Hurwitz, Marks, Scully, Stobie.
Total 5

Senate Bill No. 441 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Gesek, Kessler.
Total 2

Absent or not voting: Hurwitz.
Total 1

Dussault moved that SB 442 pass consideration for the day. Motion carried.

Senate Bill No. 455 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria,

Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: Scully.
Total 1

Excused: Gesek, Kessler.
Total 2

Absent or not voting: None.
Total 0

Senate Bill No. 458 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Brand, Burnett, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Eudaily, Fabrega, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Lien, Lory, Lund, McBride, Magone, Manning, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Scully, Shelden, Sivertsen, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Waldron, Williams, Wood, Yardley.
Total 73

Noes: Bennett, Bertelsen, Curtiss, Ellerd, Ernst, Fagg, Huennekens, Hurwitz, Keedy, Keyser, Kropp, Kvaalen, Manuel, Marks, Nordtvedt, Roth, Sales, Schultz, Seifert, Smith, South, Uhde, Vinger, Wyrick, Mr. Speaker.
Total 25

Excused: Gesek, Kessler.
Total 2

Absent or not voting: None.
Total 0

Senate Bill No. 489 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Brand, Burnett, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Schultz, Scully, Shelden, Sivertsen, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 79

Noes: Bardanouve, Bertelsen, Curtiss, Holmes, Huennekens, Hurwitz, Keedy, Keyser, Kropp, Kvaalen, Nordtvedt, K. Robbins, Roth, Sales, Smith, South, Thoft, Wyrick.
Total 18

Excused: Gesek, Kessler.
Total 2

Absent or not voting: Seifert.
Total 1

Consent Calendar

Senate Bill No. 40 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: Moore.
Total 1

Excused: Gesek, Kessler.
Total 2

Absent or not voting: Keedy.
Total 1

REPORTS OF STANDING COMMITTEES

Dussault moved that all Standing Committee Reports with a do pass recommendation and printing reports be deemed read this day. Motion carried.

BILLS (Metcalf, Chairman): 3/12/79

Correctly printed - HB 630.

Correctly enrolled - HB 51, HB 68, HB 92, HB 128, HB 184, HB 185, HB 186, HB 194, HB 253, HB 290, HB 300, HB 306, HB 308, HB 311, HB 331,HB 335, HB 405, HB 407, HB 428, HB 605, HB 683, HJR 22, HJR 32.

Examined by the Sponsor and found to be correct - HB 51, HB 68, HB 92, HB 128, HB 184, HB 185, HB 186, HB 194, HB 253, HB 290, HB 300, HB 306, HB 308, HB 311, HB 331, HB 335, HB 405, HB 407, HB 428, HB 605, HB 683, HJR 22, HJR 32.

Will be signed by the Speaker on adjournment, 3/12/79 - HB 51, HB 68, HB 92, HB 128, HB 184, HB 185, HB 186, HB 194, HB 253, HB 290, HB 300, HB 306, HB 308, HB 311, HB 331, HB 335, HB 405, HB 407, HB 428, HB 605, HB 683, HJR 22, HJR 32.

Do Pass

EDUCATION AND CULTURAL RESOURCES (Gilligan, Chairman): 3/12/79

SB 262, third reading copy, be amended as follows:

1. Page 1, line 10.
Following: "fund"
Insert: ", common school fund,"

2. Page 1, line 17 through line 1 on page 2.
Following: "~~fund~~" on line 17, page 1
Strike: line 17 through line 1 on page 2
Insert: "to the common school fund, 13 ⅓% of the total sum received; and

(c) to school districts to be distributed proportionately based upon the percentage that the federal forest reserve lands of a district bear to the total area of the federal forest reserve lands of the entire county, 20% of the total sum received."

3. Page 2, line 9 through line 18.
Following: line 8
Strike: section 2 in its entirety
Renumber: subsequent section

4. Page 3, line 9.
Following: "~~(f)~~"
Strike: "(e)"
Insert: "(f)"

5. Page 4, line 4.
Following: "~~17-3-213;~~"
Insert: "(a) the portion of the federal forest reserve funds distributed to a county and designated for the common school fund under the provisions of 17-3-213;"
Renumber: subsequent subsections

6. Page 4, line 20.
Following: "county"
Strike: ", except forest reserve money,"

7. Page 4, line 22.
Following: "section"
Insert: ", except forest reserve money distributed in accordance with 17-3-213 (c)"

And as amended, be concurred in. Report adopted.

TAXATION (Huennekens, Chairman): 3/12/79
HB 150, introduced bill, be amended as follows:

1. Page 11, line 12.
Following: "distributed"
Insert: "in the following manner:

(a) 20% must be remitted to the state treasurer to be allocated as provided in 15-1-501(2); and

(b) 80% must be allocated"

2. Page 11, line 15.
Following: "taxes"
Strike: "collected"
Insert: "distributed under subsection (1)(b)"

3. Page 12, line 1.
Following: "in"
Strike: "multiple taxing jurisdictions"
Insert: "more than one county,"

4. Page 12, line 3.
Following: "distribution"

Insert: "among those counties"

5. Page 15, line 4.
Following: "that"
Strike: "collected"
Insert: "allocated to the counties"

6. Page 18, line 13.
Following: "payment."
Strike: "(1)"

7. Page 19, line 2 through page 20, line 1.
Following: line 1
Strike: subsection (2) in its entirety

And as amended, do pass. Report adopted.

HB 547, introduced bill, be amended as follows: 3/10/79

1. Title, line 6.
Following: "DISTRICT"
Strike: "WHENEVER THE NEGOTIATED SALARY AND BENEFITS OF POST-SECONDARY VOCATIONAL-TECHNICAL CENTER EMPLOYEES EXCEED THE SALARY AND BENEFIT INCREASES AUTHORIZED FOR STATE EMPLOYEES"
Insert: "TO SUPPORT THE AMOUNT THE DISTRICT BOARD PROPOSES TO BUDGET FOR PERSONAL SERVICES IN EXCESS OF THE AMOUNT APPROPRIATED BY THE LEGISLATURE FOR PERSONAL SERVICES"

2. Page 1, line 23.
Following: "provides"
Strike: "increases"
Insert: "levels"

3. Page 1, line 24.
Following: line 23
Strike: "increases"
Insert: "levels"

And as amended, do pass. Report adopted.

HB 639, introduced bill, be amended as follows: 3/12/79

1. Title, line 9.
Following: "SECTIONS"
Insert: "15-6-207,"
Following: "15-8-201,"
Insert: "15-24-302,"

2. Title, line 10.
Following: "15-24-903"
Strike: ", AND 15-24-904"
Insert: "THROUGH 15-24-905"

3. Page 2, line 8.
Following: "~~county;~~"
Insert: "(b) livestock that are required by [section 4] and [section 10] to be assessed as of March 1;

4. Page 2, line 9.
Following: "~~(c)~~"
Strike: "(b)"

Insert: "(c)"

5. Page 2, line 13.
Following: "~~(d)~~"
Strike: "(c)"
Insert: "(d)"

6. Page 2, line 15.
Following: "~~(e)~~"
Strike: "(d)"
Insert: "(e)"

7. Page 2, line 22.
Following: line 21
Strike: "at the time of assessment"
Insert: "not later than April 1 of each year"

8. Page 2, line 24.
Following: "livestock"
Strike: "were"
Insert: "is"
Following: "located"
Strike: "since the last assessment date"

9. Page 3, line 6.
Following: "law."
Strike: "Any"
Insert: "If any"

10. Page 3, line 8.
Following: "state"
Strike: "who refuses"
Insert: "fails"

11. Page 3, line 9.
Following: "15-24-903"
Strike: remainder of line 9 through line 12 in their entirety
Insert: ", the county assessor may, after 10 days notice to the person who failed to file the report, increase the assessment by 10% as a penalty."

12. Page 3, line 17.
Following: "(2)"
Strike: remainder of line 17 through line 21 in their entirety
Insert: "Livestock held in a feedlot or a confined feeding area on March 1 shall be assessed to:

(a) the owner in its home county for a 12-month period if the intended future use of the livestock is breeding or grazing; or

(b) the owner in the county where being fed if the livestock is being held for slaughter or shipment out of state. Assessment of livestock being held for slaughter or shipment out of state shall be for the portion of the year prior to the estimated time of slaughter or shipment out of state.

(3) A migratory adjustment may be prorated between counties under [section 5] on livestock moved in or out of a feedlot or confined feeding area."
Renumber: subsequent subsection

13. Page 4, line 10.
Following: "year"

Strike: remainder of line 10 through line 13 in their entirety
Insert: "."

14. Page 4, line 22.
Following: "(1)"
Strike: "In January"
Insert: "On or before July 1"

15. Page 5, line 2.
Following: "(2)"
Strike: "Of the"
Insert: "The"

16. Page 5, line 3.
Following: "issued"
Strike: remainder of lines 3 through 7 in their entirety
Insert: "must be distributed to the proper fund according to the tax levies made during the year the assessment was levied.

(3) Money received from other counties under subsection (1) must be distributed to the proper fund according to the tax levies made during the year the assessment was levied.

SECTION 7. SECTION 15-24-905, MCA, IS AMENDED TO READ:

'15-24-905. Livestock brought into state — notice to department of revenue or its agent — time for payment. (1) The owner or the agent, manager, or foreman of any person, corporation, or association bringing livestock into this state after January 1 shall immediately after said livestock crosses the state line forward to the department of revenue or its agent in the county into which the livestock is moved a registered or certified letter, which letter shall contain the name of the owner of such livestock, the number thereof, the brand thereon, and the ages of the same, together with the time and place at which said livestock was brought across the state line, provided that the department of livestock at least once each month furnish from its own records to the department of revenue or its agent in the county into which such livestock is moved a list of the number and kind of livestock so moved, together with the name of the owner thereof.

(2) The tax due on livestock brought into this state must be paid within 30 days after receiving the tax notice.

(3) Livestock on which tax is owed under this section may not be removed from the county until the taxes have been paid.'

SECTION 8. SECTION 15-6-207, MCA, IS AMENDED TO READ:

'15-6-207. Agricultural exemptions. The following agricultural products are exempt from taxation:

(1) all unprocessed, perishable fruits and vegetables in farm storage and owned by the producer;

(2) all nonperishable unprocessed agricultural products, except livestock, held in possession of the original producer for less than 7 months following harvest; and

(3) livestock, defined as cattle, sheep, horses, or mules, which have not attained the age of ~~9~~ 6 months as of ~~the last day of any month~~

March 1 and swine which have not attained the age of 3 months as of January 1.'

SECTION 9. SECTION 15-24-302, MCA, IS AMENDED TO READ:

'15-24-302. Collection procedure. All property mentioned in [the preceding section] shall be assessed at the same value as property of like kind and character, and the assessment, levy, and collection of the tax shall be governed by the provisions of 15-8-408; 15-16-111 through 15-16-115; 15-16-404; chapter 17, part 9; and 15-24-202(1); as amended, except livestock taxation ~~which is~~ governed by ~~part 9 of this chapter,~~ 81-7-104~~,~~ and Title 81, chapter 7, part 2.'

SECTION 10. THERE IS A NEW MCA SECTION THAT READS:

Livestock assessment. The department of revenue or its agent must assess all livestock in each county as of March 1 of each year. Livestock shall be assessed to the person by whom owned or claimed or in whose possession or control it was at midnight of March 1 in each year, except that livestock in a feedlot or confined feeding area must be assessed as provided in [section 4]."

Renumber: subsequent sections

And as amended, do pass. Report adopted.

HB 646, introduced bill, be amended as follows:

1. Title, line 4.
Following: "PROVIDING"
Insert: "DOMESTIC INSURERS"

2. Page 3, line 1.
Following: "(i)"
Strike: "An"
Insert: "A domestic"

3. Page 3, line 18.
Following: "securities"
Strike: "in its annual report"
Insert: "on a detailed schedule attached to its annual tax report"

4. Page 3, line 19.
Following: "(i)"
Strike: "An insurer may choose to"
Insert: "If the method provided for in subsection (a) is not used, the insurer shall"

5. Page 4, line 11.
Following: "Montana"
Insert: "loans secured by collateral issued at arm's length by Montana corporations,"

6. Page 4, line 12.
Following: "securities"
Insert: ", bonds, preferred stock, and common stock"

And as amended, do pass. Report adopted.

HB 727, introduced bill, be amended as follows: 3/10/79

1. Page 1, line 17.
Following: "obtain"

Insert: "annually"

2. Page 1, line 21.
Following: "display"
Insert: "the original or"

3. Page 2, line 3.
Following: "officer."
Insert: "The special fuel user shall be responsible for reproducing clear and legible copies of the permit."

4. Page 3, line 25.
Following: "dealer"
Strike: "or"
Insert: "shall be equivalent to twice his estimated monthly tax payments and the total amount of the bond or bonds required of any"

5. Page 8, line 1.
Following: "dealer"
Insert: "shall file with the department a monthly tax return"

6. Page 9, line 2.
Following: "~~monthly~~"
Strike: "quarterly"

7. Page 9, line 8.
Following: "~~monthly~~"
Strike: "quarterly"

8. Page 9, line 14.
Following: line 13
Strike: "quarterly"

9. Page 9, line 17.
Following: "~~month~~"
Strike: "quarter"
Insert: "period"

And as amended, do pass. Report adopted.

HB 770, introduced bill, be amended as follows: 3/12/79

1. Title, line 9.
Following: "FROM"
Insert: "INVENTORY"

2. Page 1, line 14.
Following: "a"
Insert: "private or public"

3. Page 1, line 20.
Following: "a"
Insert: "private or public"

4. Page 2, line 15.
Following: "from"
Insert: "inventory"

And as amended, do pass. Report adopted.

Adverse Committee Reports

Nordtvedt abstained from voting on HB 395 due to a conflict in interest.

On motion by Huennekens, the Adverse Committee Report on HB 395 was adopted by the following vote: (67-25)

Ayes: Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellerd, Ellis, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Keyser, Kvaalen, Lory, Lund, McBride, Manning, Menahan, Metcalf, Meyer, Moore, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Scully, Seifert, Shelden, Sivertsen, South, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 67

Noes: Anderson, Brand, Conroy, Donaldson, Ellison, Ernst, Feda, Hayne, Hemstad, Johnston, Kropp, Magone, Manuel, Marks, Nathe, Oberg, O'Connell, Pistoria, Schultz, Smith, Spilker, Staigmiller, Teague, Vinger, Wyrick.
Total 25

Excused: Gesek, Kessler.
Total 2

Absent or not voting: Bengtson, Hurwitz, Lien, Roth, Sales.
Total 5

Abstaining: Nordtvedt.
Total 1

On motion by Huennekens, the Adverse Committee Report on HB 753 was adopted by the following vote: (62-30)

Ayes: Anderson, Baeth, Bertelsen, Cooney, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Keyser, Kropp, Lory, Lund, McBride, Manning, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, Roth, Schultz, Seifert, Shelden, Sivertsen, South, Spilker, Stobie, Thoft, Vincent, Vinger, Williams, Mr. Speaker.
Total 62

Noes: Bardanouve, Bennett, Brand, Burnett, Conroy, Curtiss, Daily, Ellison, Gilligan, Hirsch, Holmes, Keedy, Kvaalen, Magone, Manuel, Moore, Pistoria, K. Robbins, Rosenthal, Sales, Scully, Smith, Staigmiller, Teague, Tropila, Uhde, Underdal, Wood, Wyrick, Yardley.
Total 30

Excused: Gesek, Kessler.
Total 2

Absent or not voting: Azzara, Bengtson, Ellerd, Hurwitz, Lien, Waldron.
Total 6

MESSAGES FROM THE OTHER HOUSE

The Senate on 3/12/79, acceded to the request for the return of Senate Joint Resolution No. 6, introduced by Aklestad, Kolstad, et al, and is returning the said joint resolution to the House for further consideration.

MOTIONS

Tropila moved that the press table be moved from the House floor and the Press be seated in the gallery. Motion failed. (22-69)

Kanduch moved that SJR 18 be taken from the Committee on Natural Resources and be placed on Second Reading. Motion carried. (76-17)

Huennekens moved that SB 481 be rereferred from the Committee on Taxation to the Committee on Judiciary. Motion carried.

Dussault moved that SB 442 be taken from Third Reading and referred to the Committee on Appropriations. Motion carried.

Pistoria moved that the Press pay for the telephone located on the table in the House chambers. Motion failed. (30-63)

Keyser moved that the Speaker be authorized to appoint a Conference Committee on Senate Amendments to HB 100. Motion carried. (87-2)

Dussault moved that the House adjourn until 2:30 p.m., March 13, 1979.

Motion carried.

House adjourned at 6:33 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

FIFTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
March 13, 1979

House Chambers
Capitol Building

House convened at 2:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Jensen, Moore, Pistoria, Gesek, Lund, Yardley, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Fifty-third Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 3/13/79

Correctly engrossed - HB 416.

Correctly enrolled - HB 91, HB 94, HB 108, HB 169, HB 182, HB 459, HB 572, HB 650, HJR 17.

Will be signed by the Speaker on adjournment, 3/13/79 - SB 26, SB 35, SB 62, SB 79, SB 141, SB 150, SB 257, SB 297, SJR 13.

Do Pass

STATE ADMINISTRATION (Brand, Chairman): 3/10/79

HB 900, introduced bill, be amended as follows:

1. Page 1, line 14.
Following: "members,"
Strike: "two"
Insert: "three"

And as amended, do pass. Report adopted.

SB 28, third reading copy, be amended as follows: 3/12/79

1. Title, line 7.
Following: "OF"
Strike: "1978"
Insert: "1977"

And as amended, be concurred in. Report adopted.

SB 351, third reading copy, be amended as follows:

1. Title, line 4.
Following: "INCREASE"
Insert: "AND REQUIRE THE SALARY COMMISSION TO REVIEW"

2. Page 1, line 11.
Following: "compensation."
Insert: "(1)"

3. Page 1, line 25.
Following: line 24
Insert: "(2)"

4. Page 2.

Following: line 8
Insert: "(3) The salary commission must review the salary for members of the board and shall recommend an appropriate salary to the legislature."

And as amended, be concurred in. Report adopted.

SB 370, third reading copy, be amended as follows:

1. Page 2, line 12.
Following: "~~mile~~"
Strike: "twice"
Insert: "one and one-half times"

And as amended, be concurred in. Report adopted.

SB 422, third reading copy, be amended as follows:

1. Title, lines 15 and 16.
Following: "MONTHS;"
Strike: "DEFINING 'PUBLIC' FOR PURPOSES OF SUPERVISION OF PUBLIC WORKS; AND"

2. Title, line 16.
Following: "COMPETENCY;"
Insert: "AND EXEMPTING CERTAIN FACULTY MEMBERS IN THE MONTANA UNIVERSITY SYSTEM FROM THE PROVISIONS OF TITLE 37, CHAPTER 67;"

3. Title, line 17.
Following: "2-15-1653,"
Strike: "18-2-122"
Insert: "37-67-103"

4. Page 6, lines 17 through 19.
Following: line 16
Strike: subsection (4) in its entirety

5. Page 8, lines 1 through 17.
Strike: lines 1 through 17 in their entirety
Insert: "SECTION 4. SECTION 37-67-103, MCA, IS AMENDED TO READ:

'37-67-103. Exemptions. The following are exempt from coverage under this chapter: (subsections (1) through (4) remain the same)

(5) the practice of professional engineering or land surveying in this state by a firm, partnership, corporation, or joint-stock association or by its members, officers, or employees on its behalf, if each person personally supervising and in direct charge of all activities of the firm, partnership, corporation, or joint-stock association which constitutes the practice is a professional engineer or land surveyor holding a certificate of registration under this chapter.~~;~~

(6) faculty members in the Montana university system who are performing duties in connection with their employment.'"

6. Page 14, line 23.
Following: "hearing,"
Strike: "four"
Insert: "five"

7. Page 15, line 5.
Following: "if"

Strike: "four"
Insert: "five"

And as amended, be concurred in. Report adopted.

TAXATION (Huennekens, Chairman): 3/13/79
HB 796, do pass. Report adopted.
HB 898, do pass. Report adopted.

Adverse Committee Reports

BUSINESS AND INDUSTRY (Quilici, Chairman): 3/13/79
SB 302, be not concurred in.

TAXATION (Huennekens, Chairman): 3/13/79
HB 470, do not pass.
HB 740, do not pass.
HB 795, do not pass.

Ellerd, Ernst, Ellison, Wyrick, Sales, Bennett, Donaldson, Kropp, Fagg, Hemstad objected that SB 302 was reported out of committee with a be not concurred in recommendation and requested that the bill be referred to Second Reading.

MESSAGES FROM THE GOVERNOR

The Honorable Harold Gerke 3/13/79
Speaker
Montana House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that I have signed the following measures this date.

House Bill Nos. 50, 79, 87, 98, 159, 192, 202, 215, 231, 296, 354, 493 and 518.

Sincerely,

Thomas L. Judge
Governor

MESSAGES FROM THE OTHER HOUSE

House Amendments to Senate Bills concurred in: 3/12/79

House Amendments to Senate Bill No. 70, introduced by Thiessen, et al

House Amendments to Senate Bill No. 152, introduced by Thomas, Kolstad

House Amendments to Senate Bill No. 189, introduced by Stephens, Dussault

House Bills concurred in and returned to the House: 3/12/79

House Bill No. 404, introduced by Sales

House Bill No. 412, introduced by Hurwitz, Manuel

House Bill No. 500, introduced by Lory, Scully

House Bill No. 574, introduced by Day, Scully, Wood, Ramirez

House Bill No. 610, introduced by Azzara, Magone, et al

House Bill No. 644, introduced by Stobie, H. Robbins, Vinger, et al

House Bill No. 735, introduced by Staigmiller, Conroy, et al

House Bill No. 736, introduced by Staigmiller, Conroy, et al

House Bill No. 738, introduced by Brand

House Bill No. 756, introduced by Staigmiller, Conroy, et al

House Bill passed on Third Reading Consent Calendar and returned to the House: 3/12/79

House Bill No. 589, introduced by Manuel

House Bills and House Joint Resolution concurred in as amended and returned to the House for concurrence in Senate Amendments: 3/12/79

House Bill No. 590, introduced by Manuel

House Bill No. 846, introduced by Waldron, Tropila, Sivertsen, et al

House Joint Resolution No. 21, introduced by Bennett, Ramirez, Quilici, et al

MOTIONS

Vincent moved that the Journal reflect Representatives Gesek, Lund, Yardley excused due to official business on this day. Motion carried.

Ernst moved that the rules be suspended to allow the introduction of a House Joint Resolution. Motion carried. (82-5)

Wood moved that SB 171 be taken from Second Reading and referred to the Committee on State Administration. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 317 was passed by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Bennett, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ernst, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, Hand, Harper, Harrington, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Porter, Quilici, Reichert, H. Robbins, Rosenthal, Schultz, South, Teague, Uhde, Vincent, Waldron, Williams, Wood, Mr. Speaker.
Total 60

Noes: Anderson, Brand, Conroy, Donaldson, Ellerd, Ellison, Feda, Hayne, Hemstad, Keyser, Kropp, Marks, Nordtvedt, Ramirez, K. Robbins, Roth, Sales, Seifert, Smith, Spilker, Staigmiller, Stobie, Thoft, Tropila, Underdal, Vinger, Wyrick.
Total 27

Excused: Gesek, Jensen, Lund, Moore, Pistoria, Yardley.
Total 6

Absent or not voting: Bertelsen, Burnett, Ellis, Hirsch, Scully, Shelden, Sivertsen.

Total 7

Senate Bill No. 390 was concurred in by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Bennett, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Sivertsen, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick.
Total 81

Noes: Anderson, Huennekens, Nordtvedt, Sales, Seifert, South, Vinger, Mr. Speaker.
Total 8

Excused: Gesek, Jensen, Lund, Moore, Pistoria, Yardley.
Total 6

Absent or not voting: Bertelsen, Ellis, Scully, Shelden, Smith.
Total 5

Senate Bill No. 496 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 88

Noes: Brand.
Total 1

Excused: Gesek, Jensen, Lund, Moore, Pistoria, Yardley.
Total 6

Absent or not voting: Bertelsen, Ellis, Meyer, Scully, Shelden.
Total 5

Senate Bill No. 500 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Ramirez, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie,

Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 84

Noes: Brand, Burnett, Ellison, Harper, Quilici.
Total 5

Excused: Gesek, Jensen, Lund, Moore, Pistoria, Yardley.
Total 6

Absent or not voting: Bertelsen, Ellis, Iverson, Reichert, Shelden.
Total 5

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Bennett in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 304 be concurred in. (84-0)

That SB 406 be concurred in. (53-34)

That SB 83 be concurred in. (77-1)

That SB 85 be concurred in. (81-0)

Moore, Pistoria present at this time.

That SB 92 be concurred in. (84-0)

That SB 93 be concurred in. (80-0)

That SB 94 be concurred in. (83-1)

That SB 126 be concurred in. (78-0)

That SB 149 be concurred in. (88-0)

Lund, Gesek, Yardley present at this time.

That SB 155, third reading copy, second printing, be amended as follows: (87-6)

1. Page 1.
Following: line 19
Insert: "(1) an individual employed as an outside buyer of poultry, eggs, cream, or milk, in their raw or natural state;"
Renumber: subsequent subsections

2. Page 1, line 25.
Following: "trucks,"
Insert: "mobile homes, recreational vehicles,"

3. Page 2.
Following: line 8
Insert: "(4) a mechanic primarily engaged in servicing farm implements;"

4. Page 4.
Following: line 5
Insert: "(5) an employee employed in planting or tending trees; cruising, surveying, or felling timber; or transporting logs or other forestry products to a mill, processing plant, railroad, or other transportation terminal if the number of employees employed by his employer in such forestry or lumbering operations does not exceed eight."

And as amended, be concurred in. (88-5)

That SB 203 be concurred in. (77-3)

That SB 261 be concurred in. (58-39)

Uhde moved that SB 262 and HB 402 pass consideration until the Sixtieth Legislative Day. Motion carried.

That SB 273 be concurred in. (53-33)

Jensen present at this time.

That SB 276 be concurred in. (74-13)

That SB 410 be concurred in. (81-0)

That SB 456 be concurred in. (78-0)

That SB 497 be concurred in. (81-3)

That SB 504 be concurred in. (76-0)

That SJR 18 be concurred in. (68-12)

South, Moore, Kvaalen excused at this time.

That SJR 21 be concurred in. (65-21)

That HB 411, second reading copy, be amended as follows: (81-0)

1. Title, line 6.
Following: "MCA"
Insert: "; AND PROVIDING AN EFFECTIVE DATE"

2. Page 1.
Following: line 19
Insert: "Section 2. Effective date. This act is effective upon passage and approval."

And as amended, do pass. (78-1)

That HB 630 do pass. (86-2)

That HB 702 do pass. (76-0)

That HB 768 do pass. (85-1)

Keyser excused at this time.

That HB 852, second reading copy, be amended as follows: (77-5)

1. Page 17.
Following: line 4
Insert: "SECTION 27. THERE IS A NEW MCA SECTION THAT READS:

Effect on other law. [This act] does not expand any form of gambling currently authorized by law or legalize any form of gambling not currently authorized by law.

SECTION 28. THERE IS A NEW MCA SECTION THAT READS:

Exemption. [This act] does not apply to Montana corporations manufacturing gaming equipment for sale outside of the state."

Renumber: subsequent sections

And as amended, do pass. Motion failed. (25-69)

That HB 852, as amended, do not pass. (73-22)

Scully moved that HJR 33 pass consideration for the day. Motion carried.

Fagg excused at this time.

Kvaalen, South present at this time.

That HJR 50 do pass. (60-35)

That the Committee rise and report. (Bennett, Chairman). Bennett moved that the committee report be deemed read. Motion carried. Report adopted. (77-11)

REPORTS OF STANDING COMMITTEES

Dussault moved that all printing reports be deemed read this day. Motion carried.

BILLS (Metcalf, Chairman): 3/13/79

Examined by the Sponsor and found to be correct - HB 91, HB 94, HB 108, HB 169, HB 182, HB 459, HB 572, HB 650, HJR 17.

Will be signed by the Speaker on adjournment, 3/13/79 - HB 91, HB 94, HB 108, HB 169, HB 182, HB 459, HB 572, HB 650, HJR 17.

Signed by the Speaker on adjournment, 3/12/79 - HB 51, HB 68, HB 92, HB 128, HB 184, HB 185, HB 186, HB 194, HB 253, HB 290, HB 300, HB 306, HB 308, HB 311, HB 331, HB 335, HB 405, HB 407, HB 428, HB 605, HB 683, HJR 22, HJR 32.

Delivered to the Governor for his approval at 9:40 a.m., 3/13/79 - HB 68, HB 92, HB 128, HB 184, HB 185, HB 186, HB 194, HB 253, HB 290, HB 300, HB 306, HB 308, HB 311, HB 331, HB 335, HB 405, HB 407, HB 428, HB 605, HB 683.

Do Pass

EDUCATION AND CULTURAL RESOURCES (Gilligan, Chairman): 3/12/79

SB 2, third reading copy, second printing, be amended as follows:

1. Page 1, line 15.
Following: "~~$12,135~~"
Strike: "$12,002"
Insert: "$12,135"

2. Page 1, line 18.
Following: "~~$12,135~~"
Strike: "$12,002"
Insert: "$12,135"

3. Page 1, line 19.

Following: "~~$507~~"
Strike: "$501.60"
Insert: "$507"

4. Page 1, line 22.
Following: "~~$16,699~~"
Strike: "$16,516"
Insert: "$16,699"

5. Page 1, line 23.
Following: "~~$507~~"
Strike: "$501.60"
Insert: "$507"

6. Page 2, line 2.
Following: line 1
Strike: "$26,370"
Insert: "$26,665"
Following: "~~$317.50~~"
Strike: "$314.10"
Insert: "$317.50"

7. Page 2, line 10.
Following: "~~$1,178.80~~"
Strike: "$1,165"
Insert: "$1,178.80"

8. Page 2, line 11.
Following: "~~$1.15~~"
Strike: "$1.13"
Insert: "$1.15"

9. Page 2, line 14.
Following: "~~$1,109.80~~"
Strike: "$1,097"
Insert: "$1,109.80"

10. Page 2, line 15.
Following: "~~$1.05~~"
Strike: "$1.03"
Insert: "$1.05"

11. Page 2, line 19.
Following: "~~$900.45~~"
Strike: "$890.60"
Insert: "$900.45"

12. Page 3, line 2 through line 4.
Following: line 1
Strike: subsection (7) in its entirety

13. Page 3, line 9.
Following: line 8
Strike: "$68,373"
Insert: "$69,132"

14. Page 3, line 11.
Following: "~~$2,880.50~~"
Strike: "$2,849"
Insert: "$2,880.50"

15. Page 3, line 12.
Following: "~~$15.70~~"

Strike: "$15.54"
Insert: "$15.70"

16. Page 3, line 16.
Following: "~~$2,629.30~~"
Strike: "$2,600"
Insert: "$2,629.30"

17. Page 3, line 17.
Following: "~~$15.70~~"
Strike: "$15.54"
Insert: "$15.70"

18. Page 3, line 20.
Following: "~~$1,687.30~~"
Strike: "$1,668"
Insert: "$1,687.30"

19. Page 3, line 21.
Following: "~~$2.65~~"
Strike: "$2.60"
Insert: "$2.65"

20. Page 3, line 25.
Following: "~~$1,422.30~~"
Strike: "$1,408"
Insert: "$1,422.30"

21. Page 4, line 4.
Following: "~~$1,279.30~~"
Strike: "$1,265"
Insert: "$1,279.30"

22. Page 4, line 8.
Following: "~~$1,200~~"
Strike: "$1,186"
Insert: "$1,200"

23. Page 4, line 17 through line 19.
Following: line 16
Strike: subsection (9) in its entirety

24. Page 4, line 24.
Following: "~~$13,250~~"
Strike: "$12,962"
Insert: "$13,250"

25. Page 5, line 2.
Following: "~~$13,250~~"
Strike: "$12,962"
Insert: "$13,250"

26. Page 5, line 3.
Following: "~~$554~~"
Strike: "$541.70"
Insert: "$554"

27. Page 5, line 6.
Following: "~~$18,236~~"
Strike: "$17,838"
Insert: "$18,236"

28. Page 5, line 7.

Following: "~~$554~~"
Strike: "$541.70"
Insert: "$554"

29. Page 5, line 12.
Following: line 11
Strike: "$28,479"
Insert: "$29,110"
Following: "~~$347~~"
Strike: "$339.30"
Insert: "$347"

30. Page 5, line 20.
Following: "~~$1,286.50~~"
Strike: "$1,259"
Insert: "$1,286.50"

31. Page 5, line 21.
Following: "~~$1.25~~"
Strike: "$1.22"
Insert: "$1.25"

32. Page 5, line 24.
Following: "~~$1,211.50~~"
Strike: "$1,185"
Insert: "$1,211.50"

33. Page 5, line 25.
Following: "~~$1.14~~"
Strike: "$1.12"
Insert: "$1.14"

34. Page 6, line 4.
Following: "~~$983.50~~"
Strike: "$961.80"
Insert: "$983.50"

35. Page 6, line 12 through line 14.
Following: line 11
Strike: subsection (7) in its entirety

36. Page 6, line 19.
Following: "~~$75,516~~"
Strike: "$73,842"
Insert: "$75,516"

37. Page 6, line 21.
Following: "~~$3,146.50~~"
Strike: "$3,077"
Insert: "$3,146.50"

38. Page 6, line 22.
Following: "~~$17.15~~"
Strike: "$16.78"
Insert: "$17.15"

39. Page 7, line 1.
Following: "~~$2,872.10~~"
Strike: "$2,808"
Insert: "$2,872.10"

40. Page 7, line 2.
Following: "~~$17.15~~"

Strike: "$16.78"
Insert: "$17.15"

41. Page 7, line 5.
Following: "~~$1,843.10~~"
Strike: "$1,801"
Insert: "$1,843.10"

42. Page 7, line 6.
Following: "~~$2.90~~"
Strike: "$2.81"
Insert: "$2.90"

43. Page 7, line 10.
Following: "~~$1,553.10~~"
Strike: "$1,521"
Insert: "$1,553.10"

44. Page 7, line 11.
Following: "~~$1.56~~"
Strike: "$1.54"
Insert: "$1.56"

45. Page 7, line 14.
Following: "~~$1,397.10~~"
Strike: "$1,366"
Insert: "$1,397.10"

46. Page 7, line 15.
Following: "~~$29~~"
Strike: "$28"
Insert: "$29"

47. Page 7, line 18.
Following: "~~$1,310~~"
Strike: "$1,281"
Insert: "$1,310"

48. Page 8, line 2 through line 4.
Following: line 1
Strike: subsection (9) in its entirety

And as amended, be concurred in. Report adopted.

HIGHWAYS AND TRANSPORTATION (Baeth, Chairman): 3/13/79
HR 2, be adopted. Report adopted.
SB 473, be concurred in. Report adopted.

STATEMENT OF INTENT RE: Senate Bill No. 473

A Statement of Intent is required for this bill because it creates the necessity for the adoption of additional rules under the rulemaking authority granted by 69-12-201 to carry out the amendments to 69-12-314 and 69-12-407.

It is the intent of the legislature that the Public Service Commission has the authority to make rules defining what activities will be necessary to constitute the transportation of material allowed under a Class D motor carrier certificate "on a regular basis as part of the motor carrier's usual business operation." Thus the Public Service Commission may by rule establish the criteria by which "regular basis" is measured and may make rules describing how "part of the motor carrier's usual business operation" is to be interpreted in implementing the amendment to 69-12-314.

To implement the amendments to 69-12-407 regarding records and reports by Class D motor carriers, the Public Service Commission may amend the present rules governing the reports and records of Class A and Class B motor carriers to include Class D motor carriers. In addition, the Public Service Commission may by rule determine what will be "sufficient information" to show that a motor carrier is entitled to a Class D certificate and how the information is to be provided by the Class D motor certificate holder.

/s/Baeth

Adverse Committee Reports

On motion by Brand, the Adverse Committee Report on SJR 6 was again adopted by the following vote: (56-23)

Ayes: Baeth, Bengtson, Bennett, Bertelsen, Brand, Cooney, Dassinger, Day, Dozier, Dussault, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hayne, Hirsch, Huennekens, Hurwitz, Johnson, Kanduch, Kemmis, Kessler, Kropp, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Nathe, Oberg, Quilici, K. Robbins, Rosenthal, Roth, Schultz, Seifert, Shelden, Sivertsen, South, Staigmiller, Thoft, Uhde, Vincent, Vinger, Williams, Yardley, Mr. Speaker.
Total 56

Noes: Azzara, Burnett, Conroy, Curtiss, Daily, Donaldson, Ellerd, Ellison, Hemstad, Iverson, Jensen, Johnston, Kvaalen, Lien, Nordtvedt, Pavlovich, Ramirez, Sales, Scully, Teague, Tropila, Wood, Wyrick.
Total 23

Excused: Keyser, Moore.
Total 2

Absent or not voting: Anderson, Bardanouve, Ellis, Ernst, Fagg, Hand, Holmes, Keedy, Marks, O'Connell, Pistoria, Porter, Reichert, H. Robbins, Smith, Spilker, Stobie, Underdal, Waldron.
Total 19

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time and referred to committee:

HB 910, (introduced by Taxation Committee), Huennekens, Chairman. Referred to Committee on Taxation.

UNFINISHED BUSINESS

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to HB 100:

Cooney, Chairman
Frates
Keyser

Dussault moved that the House adjourn until 2:30 p.m., March 14, 1979.

Motion carried.

House adjourned at 6:41 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

FIFTY-NINTH LEGISLATIVE DAY

Helena, Montana
March 14, 1979

House Chambers
Capitol Building

House convened at 2:29 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Dussault, Kemmis, Williams, excused; Fagg, Feda, Marks, Nordtvedt, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Fifty-fourth Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 3/14/79

Correctly printed - HB 150, HB 547, HB 639, HB 646, HB 727, HB 770, HB 796, HB 898, HR 2.

Considered correctly engrossed - HB 573.

Will be signed by the Speaker on adjournment, 3/14/79 - SB 6, SB 39, SB 78, SB 90, SB 108, SB 119, SB 123, SB 128, SB 130, SB 144, SB 146, SB 148, SB 154, SB 175, SB 186, SB 190, SB 194, SB 197, SB 213, SB 237, SB 255, SB 258, SB 266, SB 289, SB 371, SB 379, SB 381, SB 399, SB 403, SB 436.

Signed by the Speaker on adjournment, 3/13/79 - SB 26, SB 35, SB 62, SB 79, SB 141, SB 150, SB 257, SB 297, SJR 13, HB 91, HB 94, HB 108, HB 169, HB 182, HB 459, HB 572, HB 650, HJR 17.

Delivered to the Governor for his approval at 9:47 a.m., 3/14/79 - HB 51, HB 91, HB 94, HB 108, HB 169, HB 182, HB 459, HB 572, HB 650.

Adverse Committee Reports

On motion by Huennekens, the Adverse Committee Report on HB 470 was adopted by the following vote: (65-22)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Cooney, Daily, Day, Donaldson, Dozier, Ellis, Eudaily, Fabrega, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kessler, Kvaalen, Lien, Lory, McBride, Magone, Manning, Menahan, Metcalf, Meyer, Moore, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Scully, Shelden, Sivertsen, Smith, South, Spilker, Thoft, Underdal, Vincent, Waldron, Mr. Speaker.
Total 65

Noes: Burnett, Conroy, Curtiss, Dassinger, Ellerd, Ellison, Ernst, Hand, Keyser, Kropp, Lund, Manuel, Nathe, H. Robbins, Schultz, Seifert, Staigmiller, Teague, Tropila, Uhde, Vinger, Wyrick.
Total 22

Excused: Dussault, Kemmis, Williams.
Total 3

Absent or not voting: Fagg, Feda, Hirsch, Marks, Nordtvedt, Pistoria, Sales, Stobie, Wood, Yardley.

Total 10

On motion by Huennekens, the Adverse Committee Report on HB 740 was adopted by the following vote: (77-14)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellison, Eudaily, Fabrega, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Yardley, Mr. Speaker.
Total 77

Noes: Brand, Conroy, Ellerd, Ernst, Kropp, Oberg, Porter, Ramirez, Sales, Schultz, Stobie, Teague, Wood, Wyrick.
Total 14

Excused: Dussault, Kemmis, Williams.
Total 3

Absent or not voting: Ellis, Fagg, Feda, Hirsch, Marks, Nordtvedt.
Total 6

On motion by Huennekens, the Adverse Committee Report on HB 795 was adopted by the following vote: (60-30)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Dassinger, Donaldson, Ellerd, Ellis, Eudaily, Frates, Gesek, Gould, Hayne, Holmes, Huennekens, Jensen, Johnson, Johnston, Kanduch, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Menahan, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Underdal, Vincent, Waldron, Wood, Mr. Speaker.
Total 60

Noes: Cooney, Curtiss, Daily, Day, Dozier, Ellison, Ernst, Fabrega, Gilligan, Hand, Harper, Harrington, Hemstad, Iverson, Keedy, McBride, Metcalf, Meyer, Moore, Nathe, Oberg, Rosenthal, Roth, Seifert, Teague, Tropila, Uhde, Vinger, Wyrick, Yardley.
Total 30

Excused: Dussault, Kemmis, Williams.
Total 3

Absent or not voting: Fagg, Feda, Hirsch, Hurwitz, Marks, Nordtvedt, Reichert.
Total 7

MESSAGES FROM THE OTHER HOUSE

Senate Bill and Senate Joint Resolution passed and transmitted to the House for concurrence: 3/13/79

Senate Bill No. 401, introduced by Towe, Dover

Senate Joint Resolution No. 30, introduced by Turnage, Tropila

House Bill indefinitely postponed and returned to the House: 3/13/79

House Bill No. 697, introduced by Day, Keedy, Kemmis, et al

House Bill not concurred in and returned to the House: 3/13/79

House Bill No. 816, introduced by Fagg, Shelden, McBride, Huennekens

Senate Bills passed as amended and transmitted to the House for concurrence: 3/13/79

Senate Bill No. 235, introduced by McCallum

Senate Bill No. 389, introduced by Towe, et al

Senate Bill No. 521, introduced by Manley, Watt, McCallum, Turnage

House Bills concurred in and returned to the House: 3/13/79

House Bill No. 247, introduced by Scully, Uhde

House Bill No. 318, introduced by Lien

House Bill No. 325, introduced by Moore, Hager, Fabrega

House Bill No. 334, introduced by Hirsch, Huennekens

House Bill No. 466, introduced by Hirsch

House Bill No. 544, introduced by Donaldson, Keyser, Gould

House Bill No. 581, introduced by Vinger

House Bill No. 582, introduced by Burnett

House Bill No. 611, introduced by Gould, Ellis, Lory

House Bill No. 730, introduced by Manuel, Gerke, Marks, Dozier, et al

House Bills concurred in as amended and returned to the House for concurrence in Senate Amendments: 3/13/79

House Bill No. 32, introduced by Quilici

House Bill No. 118, introduced by H. Robbins, Bertelsen, et al

House Bill No. 223, introduced by Conroy

House Bill No. 361, introduced by Dassinger, Manning, Lien

House Bill No. 432, introduced by Menahan

House Bill No. 457, introduced by Harper, Gerke, et al

House Bill No. 486, introduced by Moore, Fabrega

House Bill No. 513, introduced by Vincent

House Bill No. 514, introduced by Ramirez, Porter

House Bill No. 549, introduced by Scully

House Bill No. 608, introduced by Gould, Ramirez, et al

House Bill No. 648, introduced by Scully

House Bill No. 779, introduced by Scully

House Bill No. 782, introduced by Menahan

House Bill No. 786, introduced by Lory, Ramirez

House Bill No. 817, introduced by Fagg

MOTIONS

Scully moved that HJR 33 be taken from Second Reading and referred to the Committee on Taxation. He also stated that he wanted the Journal to reflect that the reason for the referral was that he felt it inappropriate for the House to act on legislation that may affect the outcome of litigation presently in the court. Motion carried. (74-15)

H. Robbins moved that the rules be suspended to allow the introduction of a House Joint Resolution commending the Montana National Guard and the Air National Guard for their help during the recent institutions strike. Motion carried. (88-0)

Vinger moved that the Senate Amendments to HB 443 pass consideration for the day. Motion carried.

Lund moved that the House recall SJR 6 from the Senate for further consideration. Motion carried. (70-20)

Vincent moved that SB 2 be taken from Second Reading and referred to the Committee on Appropriations. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bills were introduced, read first time and referred to committees:

SB 235, introduced by McCallum. Referred to Committee on Taxation.
SB 389, introduced by Towe, Frates, Harper, Teague, Holmes, Ramirez, Dozier, Kessler, Fagg, Porter, Bengtson, Regan, Conover, Hager, Blaylock. Referred to Committee on Taxation.
SB 401, introduced by Towe, Dover. Referred to Committee on Rules.
SB 521, introduced by Manley, Watt, McCallum, Turnage, (By Request of the Committee on Taxation). Referred to Committee on Taxation.
SJR 30, introduced by Turnage, Tropila. Referred to Committee on Taxation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Vincent moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Seifert in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SA to HB 48 be concurred in. (82-0)

That SA to HB 80 be concurred in. (81-0)

Dussault present at this time.

That SA to HB 113 be concurred in. (82-1)

That SA to HB 132 be concurred in. (79-0)

Kemmis present at this time.

That SA to HB 187 be concurred in. (81-1)

That SA to HB 212 be concurred in. (79-5)

Williams present at this time.

That SA to HB 214 be concurred in. (82-0)

That SA to HB 224 be concurred in. (86-1)

That SA to HB 229 be concurred in. (83-2)

That SA to HB 238 be concurred in. (85-0)

That SA to HB 242 be concurred in. (86-1)

That SA to HB 251 be concurred in. (52-32)

That SA to HB 264 be concurred in. (85-0)

That SA to HB 283 be not concurred in. (79-10)

That SA to HB 301 be concurred in. (85-0)

That SA to HB 330 be concurred in. (79-8)

Gilligan excused at this time.

That SA to HB 332 be concurred in. (80-6)

Harrington excused at this time.

That SA to HB 352 be concurred in. (79-7)

That SA to HB 367 be concurred in. (84-0)

That SA to HB 408 be concurred in. (79-0)

That SA to HB 413 be concurred in. (81-0)

That SA to HB 422 be concurred in. (80-0)

That SA to HB 485 be concurred in. (82-0)

That SA to HB 577 be concurred in. (79-1)

That SA to HB 594 be not concurred in. (81-1)

That SA to HB 598 be concurred in. (81-0)

That SA to HB 763 be concurred in. (72-9)

That SA to HB 881 be concurred in. (85-1)

That SB 377, third reading copy, be amended as follows: (83-0)

1. Page 2, line 25.
Following: "manufacturer"
Strike: "as well as the"
Following: "packer,"
Insert: ","
Following: "distributor"
Strike: "IF"

2. Page 3, line 1.
Strike: "DIFFERENT THAN THAT OF THE MANUFACTURER"
Insert: ", except that a prescription drug must contain the name and place of business of the manufacturer as well as the packer or distributor"

And as amended, be concurred in. (87-0)

That SB 28 be concurred in. (77-8)

Meyer excused at this time.

That SB 302 be concurred in. Motion failed. (28-65)

That SB 302 be not concurred in. (65-25)

That SB 351 be concurred in. (56-29)

That SB 370 be concurred in. (62-25)

Brand moved that SB 422 pass consideration for the day. Motion failed.

That State Administration Committee Amendments to Senate Bill No. 422, third reading copy, be amended as follows: (77-15)

1. Strike: Amendment No. 2 in its entirety

2. Amendment No. 3.
Following: line 3
Strike: insertion in its entirety

3. Amendment No. 5.
Following: line 2
Strike: insertion paragraph in its entirety
Renumber: subsequent sections

And as amended, be concurred in. (84-5)

That SB 473 be concurred in. (83-2)

That SA to HB 590 be concurred in. (77-7)

That SA to HB 846 be concurred in. (82-1)

That SA to HJR 21 be not concurred in. (84-3)

That the Committee rise and report. (Seifert, Chairman). Seifert moved that the committee report be deemed read. Motion carried. Report adopted. (80-2)

REPORTS OF STANDING COMMITTEES

Dussault moved that all printing reports be deemed read this day. Motion carried.

BILLS (Metcalf, Chairman): 3/14/79
Correctly printed - HB 900.
Considered correctly engrossed - HB 702, HB 768, HJR 50.
Correctly engrossed - HB 411.
Correctly enrolled - HB 40, HB 126, HB 288, HB 340, HB 369, HB 374, HB 406, HB 505, HB 548, HB 670.

Examined by the Sponsor and found to be correct - HB 40, HB 126, HB 288, HB 340, HB 369, HB 374, HB 406, HB 489, HB 505, HB 548, HB 670.

Will be signed by the Speaker on adjournment, 3/14/79 - HB 40, HB 126, HB 288, HB 340, HB 369, HB 374, HB 406, HB 505, HB 548, HB 670.

Do Pass

AGRICULTURE, LIVESTOCK AND IRRIGATION (Day, Chairman): 3/14/79

HJR 53, do pass. Report adopted.

Adverse Committee Reports

AGRICULTURE, LIVESTOCK AND IRRIGATION (Day, Chairman): 3/14/79

SJR 28, be not concurred in.

MESSAGES FROM THE GOVERNOR

The Honorable Harold Gerke 3/14/79
Speaker
Montana House of Representatives
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that on February 23, 1979 I signed the following measure:

House Bill No. 37

Sincerely,

Thomas L. Judge
Governor

MOTIONS

Marks moved that SB 273 be taken from Reference Printing and placed on Second Reading for the purpose of amendment. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to HB 283. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to HJR 21. Motion carried.

Dussault moved that SB 351 be taken from Reference Printing and referred to the Committee on Appropriations. Motion carried.

Dussault moved that SB 370 be taken from Reference Printing and referred to the Committee on Appropriations. Motion carried.

Scully moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to HB 594. Motion carried.

After an explanation by Dussault on a rule that a bill can be recalled from the other house for reconsideration only once, Lund withdrew his previous motion to recall SJR 6 from the Senate.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 909, (introduced by Taxation Committee). Referred to Committee on Taxation.

HJR 56, introduced by Hemstad, Hazelbaker, Quilici. Referred to Committee on Business and Industry.

HJR 57, introduced by H. Robbins, Galt, Blaylock, Reichert, Moore, Mehrens, Vincent, Feda, Stephens, Oberg, Gilligan, Bengtson,

Ramirez, Cooney, Keedy, Kolstad, Lien, Pistoria, Ernst, Schultz, Kessler, Day, Ellerd, McBride, Gerke, K. Robbins, Dussault, Frates, Harper, Burnett, Manuel, Hayne, Baeth, Spilker, Rosenthal, Pavlovich, Hirsch, Tropila, Curtiss, Sivertsen, Healy, Menahan, Mathers, Graham, Peterson, Hafferman, Ryan, Kemmis, Van Valkenburg, Teague, Stimatz, Bennett, Gesek, Waldron, Bertelsen, Lund, Vinger, Gould, Stobie. Referred to Committee on Local Government.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 32 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Burnett.
Total 1

Excused: Gilligan, Harrington, Meyer.
Total 3

Absent or not voting: Feda, Huennekens, Hurwitz, Nordtvedt, Seifert, South.
Total 6

House Bill No. 416 was passed by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Brand, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnson, Kanduch, Keedy, Kemmis, Kessler, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Nathe, Oberg, O'Connell, Pavlovich, Porter, Quilici, Reichert, H. Robbins, Rosenthal, Schultz, Scully, Shelden, South, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 62

Noes: Anderson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Donaldson, Ellison, Fabrega, Hayne, Hemstad, Iverson, Jensen, Johnston, Keyser, Kropp, Marks, Meyer, Moore, Pistoria, Ramirez, K. Robbins, Roth, Sales, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Thoft, Underdal, Vinger, Wood, Wyrick.
Total 35

Paired: Gilligan, Harrington, Huennekens, Quilici, South, Ayes; Kropp, Meyer, Ramirez, Sivertsen, Smith, Noes.

Excused: None.

Total 0

Absent or not voting: Feda, Hurwitz, Nordtvedt.
Total 3

Dussault moved that the House adjourn until 2:30 p.m., March 15, 1979.

Motion carried.

House adjourned at 5:37 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

SIXTIETH LEGISLATIVE DAY

Helena, Montana
March 15, 1979

House Chambers
Capitol Building

House convened at 2:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Conroy, Harper, Hurwitz, Nordtvedt, excused; Scully, South, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Fifty-fifth Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 3/15/79

Correctly printed - HJR 53.
Considered correctly engrossed - HB 630.

Will be signed by the Speaker on adjournment, 3/15/79 - SB 98, SB 103, SB 114, SB 115, SB 131, SB 137, SB 209, SB 212, SB 268, SB 316, SB 331, SB 375, SB 383, SB 398, SB 423, SB 427, SJR 9, SJR 22, SJR 24, SJR 26.

Signed by the Speaker on adjournment, 3/14/79 - HB 40, HB 126, HB 288, HB 340, HB 369, HB 374, HB 406, HB 505, HB 548, HB 670, SB 6, SB 39, SB 78, SB 90, SB 108, SB 119, SB 123, SB 128, SB 130, SB 144, SB 146, SB 148, SB 154, SB 175, SB 186, SB 190, SB 194, SB 197, SB 213, SB 237, SB 255, SB 258, SB 266, SB 289, SB 371, SB 379, SB 381, SB 399, SB 403, SB 436.

Delivered to the Governor for his approval at 11:00 a.m., 3/15/79 - HB 40, HB 126, HB 288, HB 340, HB 369, HB 374, HB 406, HB 505, HB 548, HB 670.

Adverse Committee Reports

Lien, Ellerd, Brand, Dassinger, Bengtson, Hirsch, Kanduch, Ernst, Schultz, Baeth objected that SJR 28 was reported out of committee with a be not concurred in recommendation and requested that the resolution be referred to Second Reading.

MESSAGES FROM THE OTHER HOUSE

House Bills concurred in as amended and returned to the House for concurrence in Senate Amendments: 3/14/79

House Bill No. 603, introduced by Sivertsen

House Bill No. 606, introduced by Ellis, Gerke, Ellerd, Scully, Sivertsen

House Bills and House Joint Resolution not concurred in and returned to the House: 3/14/79

House Bill No. 476, introduced by Fabrega, O'Hara, Moore, Dussault, Kemmis

House Bill No. 559, introduced by Johnston, Pavlovich, Manning, et al

House Bill No. 623, introduced by Kropp, Johnston, Wyrick

House Bill No. 719, introduced by Burnett

House Joint Resolution No. 24, introduced by Marks, Dussault, Moore, Scully, et al

House Amendments to Senate Bills and Senate Joint Resolutions concurred in: 3/14/79

House Amendments to Senate Bill No. 215, introduced by Ryan, S. Brown, et al

House Amendments to Senate Bill No. 251, introduced by Boylan

House Amendments to Senate Bill No. 278, introduced by Thomas, Dussault, et al

House Amendments to Senate Bill No. 341, introduced by Turnage, S. Brown

House Amendments to Senate Bill No. 342, introduced by E. Smith, Etchart

House Amendments to Senate Bill No. 376, introduced by McCallum, Turnage

House Amendments to Senate Bill No. 466, introduced by Turnage

House Amendments to Senate Bill No. 498, introduced by Roskie, Ryan

House Amendments to Senate Joint Resolution No. 1, introduced by Lowe, Conroy

House Amendments to Senate Joint Resolution No. 10, introduced by E. Smith, Kolstad, et al

House Bills concurred in and returned to the House: 3/14/79

House Bill No. 85, introduced by Huennekens, Turnage, Fabrega, Vincent

House Bill No. 368, introduced by Dussault, Huennekens

MOTIONS

Ellison moved that SB 497 be taken from Third Reading and placed on Second Reading for the purpose of amendment. Motion carried.

Lien moved that HB 639, presently on Second Reading, pass consideration until the Sixty-first Legislative Day. Motion carried.

Brand moved that the House accede to the request of the Senate and return HB 663 for further consideration. Motion carried.

Vincent moved that the Journal reflect Representatives Nordtvedt, Feda excused on the Fifty-ninth Legislative Day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 911, introduced by Hand, Keyser, K. Robbins, O'Connell. Referred to Committee on Appropriations.
HB 912, (introduced by Taxation Committee). Referred to Committee on Taxation.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 80 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: None.
Total 0

Excused: Conroy, Harper, Hurwitz, Nordtvedt.
Total 4

Absent or not voting: Bardanouve, Scully, South, Waldron.
Total 4

Senate Bill No. 81 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: None.
Total 0

Excused: Conroy, Harper, Hurwitz, Nordtvedt.
Total 4

Absent or not voting: Bardanouve, Dozier, Keedy, Scully, Sivertsen, South.
Total 6

Senate Bill No. 83 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy,

Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: None.
Total 0

Excused: Conroy, Harper, Hurwitz, Nordtvedt.
Total 4

Absent or not voting: Bardanouve, Huennekens, Scully, South.
Total 4

Senate Bill No. 85 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Conroy, Harper, Hurwitz, Nordtvedt.
Total 4

Absent or not voting: Bardanouve, Bengtson, Huennekens, Scully, South.
Total 5

Senate Bill No. 92 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Conroy, Harper, Hurwitz, Nordtvedt.

Total 4

Absent or not voting: Bardanouve, Scully, South.
Total 3

Senate Bill No. 93 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Conroy, Harper, Hurwitz, Nordtvedt.
Total 4

Absent or not voting: Bardanouve, Scully, South.
Total 3

Senate Bill No. 94 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Conroy, Harper, Hurwitz, Nordtvedt.
Total 4

Absent or not voting: Bardanouve, Bertelsen, Oberg, Scully, South.
Total 5

Senate Bill No. 97 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Gesek, Gilligan, Gould, Harrington, Hayne, Iverson, Jensen, Johnson, Kanduch, Keedy, Keyser, Kvaalen, Lien, Manning, Manuel, Marks, Menahan, Moore, Nathe, Pistoria, K. Robbins, Shelden, Spilker, Stobie, Thoft, Tropila, Uhde, Waldron, Williams, Wood, Mr. Speaker.

Total 48

Noes: Bennett, Bertelsen, Donaldson, Dussault, Fabrega, Fagg, Feda, Frates, Hand, Hemstad, Hirsch, Holmes, Huennekens, Johnston, Kemmis, Kessler, Kropp, Lory, Lund, McBride, Magone, Metcalf, Meyer, Oberg, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, Staigmiller, Teague, Underdal, Vincent, Vinger, Wyrick, Yardley.
Total 44

Excused: Conroy, Harper, Hurwitz, Nordtvedt.
Total 4

Absent or not voting: Bardanouve, O'Connell, Scully, South.
Total 4

Senate Bill No. 100 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Seifert, Shelden, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 78

Noes: Burnett, Curtiss, Ellison, Hayne, Kropp, Ramirez, Roth, Sales, Schultz, Sivertsen, Smith, Stobie, Underdal, Vinger, Wyrick.
Total 15

Excused: Conroy, Harper, Hurwitz, Nordtvedt.
Total 4

Absent or not voting: Bardanouve, Scully, South.
Total 3

Senate Bill No. 113 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Conroy, Harper, Hurwitz, Nordtvedt.
Total 4

Absent or not voting: Bardanouve, Lund, Scully, South, Wood.

Total 5

Senate Bill No. 126 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: None.
Total 0

Excused: Conroy, Harper, Hurwitz, Nordtvedt.
Total 4

Absent or not voting: Bardanouve, Scully, Sivertsen, South.
Total 4

Senate Bill No. 149 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: None.
Total 0

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Bardanouve, Bennett, Dassinger, Johnston, Scully, Sivertsen, South.
Total 7

Senate Bill No. 156 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria,

Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Bardanouve, Scully, South.
Total 3

Senate Bill No. 261 (Constitutional Amendment) failed to receive the necessary two-thirds vote of the Legislature by the following vote:

Ayes: Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Curtiss, Daily, Dassinger, Day, Donaldson, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Gesek, Gould, Hayne, Hemstad, Hirsch, Huennekens, Iverson, Jensen, Johnson, Johnston, Keyser, Kropp, Kvaalen, Lien, Lund, Manuel, Marks, Meyer, Moore, Nathe, Pistoria, Porter, Ramirez, H. Robbins, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Thoft, Tropila, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.
Total 59

Noes: Anderson, Azzara, Baeth, Cooney, Dozier, Dussault, Eudaily, Frates, Gilligan, Hand, Harper, Harrington, Holmes, Kanduch, Keedy, Kemmis, Kessler, Lory, McBride, Magone, Manning, Menahan, Metcalf, Oberg, O'Connell, Pavlovich, Quilici, Reichert, K. Robbins, Rosenthal, Shelden, Teague, Uhde, Vincent, Waldron, Yardley.
Total 36

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Scully, South.
Total 2

Senate Bill No. 276 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Brand, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Shelden, Sivertsen, Spilker, Staigmiller, Stobie, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 80

Noes: Burnett, Ernst, Kvaalen, Moore, Pistoria, Sales, Schultz, Seifert, Smith, Teague, Thoft.
Total 11

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Bertelsen, Hand, Kanduch, Roth, Scully, South.
Total 6

Senate Bill No. 280 was not concurred in by the following vote:

Ayes: Bennett, Bertelsen, Burnett, Conroy, Curtiss, Day, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fagg, Feda, Hand, Hayne, Hirsch, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Keyser, Kropp, Kvaalen, Lien, Lund, Magone, Manuel, Marks, Meyer, Nathe, Porter, Ramirez, H. Robbins, K. Robbins, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, Spilker, Stobie, Thoft, Underdal, Vinger, Wood, Wyrick.
Total 48

Noes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Brand, Cooney, Daily, Dassinger, Dozier, Dussault, Ellis, Fabrega, Frates, Gesek, Gilligan, Harper, Harrington, Hemstad, Holmes, Huennekens, Johnston, Keedy, Kemmis, Kessler, Lory, McBride, Manning, Menahan, Metcalf, Moore, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, Rosenthal, Shelden, Staigmiller, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 48

Paired: Conroy, Hurwitz, Ayes; Dussault, Vincent, Noes.

Excused: Nordtvedt.
Total 1

Absent or not voting: Gould, Scully, South.
Total 3

Senate Bill No. 288 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Seifert, Shelden, Sivertsen, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: None.
Total 0

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Bennett, Fabrega, Hand, Kvaalen, Roth, Scully, Smith, South.
Total 8

Senate Bill No. 321 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal,

Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Waldron.
Total 1

Excused: Conroy, Hurwitz, Nordvedt.
Total 3

Absent or not voting: Hirsch, Scully, South, Stobie.
Total 4

Senate Bill No. 322 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Burnett, Ramirez.
Total 2

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Roth, Scully, Shelden, South, Wood.
Total 5

Senate Bill No. 367 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: None.
Total 0

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Bennett, Hirsch, Metcalf, Quilici, Roth, Scully, South.

Total 7

Senate Bill No. 406 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Dassinger, Day, Dozier, Dussault, Ellis, Ernst, Fagg, Gesek, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Shelden, Sivertsen, Smith, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.
Total 75

Noes: Daily, Donaldson, Ellerd, Ellison, Eudaily, Fabrega, Feda, Frates, Gilligan, Harper, Kvaalen, Moore, Pavlovich, Porter, Sales, Seifert, Spilker, Uhde, Wood, Yardley.
Total 20

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Scully, South.
Total 2

Senate Bill No. 432 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Azzara, Frates, Holmes, K. Robbins, Scully, South.
Total 6

Senate Bill No. 435 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith,

Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 85

Noes: Gould, Harper, Keedy, Porter, Reichert, Spilker, Thoft.
Total 7

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Feda, Huennekens, Scully, South, Stobie.
Total 5

Senate Bill No. 450 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Shelden, Sivertsen, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Nathe, Sales, Seifert, Smith, Vinger.
Total 5

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Scully, South.
Total 2

Senate Bill No. 467 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Scully, South.
Total 2

Senate Bill No. 504 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 86

Noes: Hayne, Hemstad, Jensen, Moore, Smith, Stobie, Vinger, Yardley.
Total 8

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Scully, Shelden, South.
Total 3

Senate Joint Resolution No. 18 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Curtiss, Daily, Dassinger, Day, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Gesek, Gilligan, Gould, Hand, Hayne, Hirsch, Iverson, Jensen, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vinger, Williams, Wood, Wyrick, Yardley.
Total 70

Noes: Azzara, Cooney, Dozier, Dussault, Fagg, Frates, Harper, Harrington, Holmes, Huennekens, Johnson, Keedy, Kemmis, Kessler, McBride, Metcalf, Oberg, Reichert, Rosenthal, Uhde, Vincent, Waldron, Mr. Speaker.
Total 23

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Bardanouve, Hemstad, Scully, Shelden.
Total 4

Senate Joint Resolution No. 21 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bertelsen, Brand, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Quilici, Ramirez, Reichert, H. Robbins, Sales, Schultz, South, Spilker, Teague, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 70

Noes: Bennett, Burnett, Ellis, Eudaily, Feda, Harper, Hayne, Jensen, Keyser, Kvaalen, Lory, Porter, K. Robbins, Rosenthal, Roth, Seifert, Sivertsen, Smith, Staigmiller, Stobie, Underdal, Vinger, Wyrick.

Total 23

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Bardanouve, Pistoria, Scully, Shelden.
Total 4

House Bill No. 411 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Feda, Underdal.
Total 2

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Huennekens, Jensen, Roth, Scully.
Total 4

House Bill No. 573 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Kvaalen, Spilker, Stobie.
Total 3

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Ellison, Scully.
Total 2

House Bill No. 702 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega,

Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Scully.
Total 1

House Bill No. 768 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Sales.
Total 1

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Keedy, Ramirez, Scully, Waldron.
Total 4

House Joint Resolution No. 50 was passed by the following vote:

Ayes: Anderson, Bengtson, Brand, Burnett, Curtiss, Daily, Dassinger, Day, Dozier, Ellerd, Ellison, Ernst, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Hayne, Hemstad, Hirsch, Iverson, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Lien, Lund, Manning, Marks, Menahan, Meyer, Moore, Nathe, Oberg, Pavlovich, Quilici, H. Robbins, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Stobie, Teague, Thoft, Tropila, Underdal, Vinger, Waldron, Wood, Wyrick, Yardley.
Total 58

Noes: Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Cooney, Donaldson, Dussault, Ellis, Eudaily, Frates, Harper, Harrington, Holmes, Huennekens, Jensen, Johnson, Keedy, Kemmis, Kessler, Lory, McBride, Magone, Manuel, Metcalf, O'Connell, Pistoria, Porter, Reichert, K. Robbins, Rosenthal, Shelden, Staigmiller, Uhde, Vincent, Williams, Mr. Speaker.
Total 37

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Ramirez, Scully.
Total 2

Senate Amendments to House Bill No. 48 were concurred in by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Brand.
Total 1

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Azzara, Bardanouve, K. Robbins, Scully, Underdal.
Total 5

Senate Amendments to House Bill No. 80 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, South, Spilker, Teague, Thoft, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Staigmiller, Stobie, Tropila.
Total 3

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Dussault, Ellis, Scully, Smith.
Total 4

Senate Amendments to House Bill No. 113 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Dozier,

Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Donaldson, Ellison, Scully.
Total 3

Senate Amendments to House Bill No. 132 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Keedy.
Total 1

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Daily, Harrington, Scully.
Total 3

Senate Amendments to House Bill No. 187 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.

Total 88

Noes: Brand, McBride, Manning.
Total 3

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Burnett, Iverson, Johnston, Roth, Scully, Stobie.
Total 6

Senate Amendments to House Bill No. 212 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Brand, Manning, Teague.
Total 3

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Bardanouve, Scully.
Total 2

Senate Amendments to House Bill No. 214 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Bardanouve, Daily, Scully, Shelden.
Total 4

Senate Amendments to House Bill No. 224 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Brand, Keedy, Reichert.
Total 3

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Scully.
Total 1

Senate Amendments to House Bill No. 229 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Day, Donaldson, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Dozier, Huennekens, Magone, Manning.
Total 4

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Dassinger, Scully, Wood.
Total 3

Senate Amendments to House Bill No. 238 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer,

Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: None.
Total 0

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Ellison, Harrington, Hirsch, Scully, Stobie.
Total 5

Senate Amendments to House Bill No. 242 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Ellison, Scully.
Total 2

Senate Amendments to House Bill No. 251 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hirsch, Holmes, Huennekens, Iverson, Johnson, Johnston, Kanduch, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Nathe, Oberg, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Seifert, Shelden, South, Staigmiller, Tropila, Uhde, Vincent, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 69

Noes: Donaldson, Ellerd, Ellis, Ellison, Hand, Hayne, Hemstad, Jensen, Keedy, Keyser, Lory, Marks, Moore, O'Connell, Porter, Roth, Sales, Sivertsen, Smith, Spilker, Stobie, Teague, Thoft, Underdal, Vinger, Wood.
Total 26

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Eudaily, Scully.
Total 2

Senate Amendments to House Bill No. 264 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Dozier, Lien, Scully.
Total 3

Senate Amendments to House Bill No. 301 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Scully.
Total 1

Senate Amendments to House Bill No. 330 were concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston,

Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Manning, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 84

Noes: Azzara, Brand, Ernst, Keedy, Magone, Marks, Moore, K. Robbins, Sales, Schultz, Smith, Thoft.
Total 12

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Manuel.
Total 1

Senate Amendments to House Bill No. 332 were concurred in by the following vote:

Ayes: Anderson, Bardanouve, Bengtson, Burnett, Curtiss, Daily, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 80

Noes: Azzara, Baeth, Bennett, Bertelsen, Brand, Cooney, Hemstad, Keedy, Kemmis, Kessler, McBride, Magone, Pistoria, Reichert, Shelden, Yardley.
Total 16

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Dassinger.
Total 1

Senate Amendments to House Bill No. 352 were concurred in by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 83

Noes: Cooney, Ernst, Moore, Sales, Schultz, Smith, Yardley.
Total 7

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Azzara, Bardanouve, Holmes, Huennekens, McBride, K. Robbins, Scully.
Total 7

Senate Amendments to House Bill No. 367 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: Manning.
Total 1

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Baeth, Shelden.
Total 2

Senate Amendments to House Bill No. 408 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Keedy, Staigmiller.
Total 2

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Keyser, Marks, Nathe.
Total 3

Senate Amendments to House Bill No. 413 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day,

Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: None.
Total 0

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Ellerd, Marks, Scully, Sivertsen, Underdal.
Total 5

Senate Amendments to House Bill No. 422 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: Frates.
Total 1

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Hirsch, Huennekens.
Total 2

Senate Amendments to House Bill No. 431 were concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.

Total 92

Noes: Curtiss, Roth.
Total 2

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Azzara, Hirsch, Stobie.
Total 3

Senate Amendments to House Bill No. 485 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Hirsch, Huennekens.
Total 2

Senate Amendments to House Bill No. 577 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Harrington.
Total 1

Senate Amendments to House Bill No. 590 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Keedy, Moore, Smith.
Total 3

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Ellis, Harrington, Huennekens, Marks.
Total 4

Senate Amendments to House Bill No. 598 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Bardanouve.
Total 1

Senate Amendments to House Bill No. 763 were concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, Pavlovich, Pistoria,

Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Stobie, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 85

Noes: Azzara, Brand, Curtiss, Ellison, Ernst, Keedy, Kemmis, Schultz, Staigmiller, Teague, Underdal.
Total 11

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Oberg.
Total 1

Senate Amendments to House Bill No. 846 were concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Conroy, Hurwitz, Nordtvedt.
Total 3

Absent or not voting: Azzara, Scully, Williams.
Total 3

Senate Amendments to House Bill No. 881 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Holmes, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 84

Noes: Brand, Dussault, Hirsch, Huennekens, Oberg, Sales, South, Staigmiller, Vincent.
Total 9

Excused: Conroy, Hurwitz, Nordtvedt.

Total 3

Absent or not voting: Bardanouve, Hayne, Keyser, Scully.
Total 4

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Menahan in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 273, reference bill, be amended as follows: (80-0)

1. Page 2, line 2.
Following: line 1
Strike: "county superintendent"
Insert: "trustees"
Following "child's"
Strike: "county"
Insert: "district"

And as amended, be concurred in. (79-5)

That SB 262, third reading copy, be amended as follows: (80-4)

1. Amendment number 2, line 1 of the insertion paragraph.
Following: "fund,"
Strike: "13 ⅓ %"
Insert: "18 ⅓ %"

2. Amendment number 2, line 6 of the insertion paragraph.
Following: "county,"
Strike: "20%"
Insert: "15%"

And as amended, pass to the bottom of the board. Motion carried.

That HB 402, second reading copy, be amended as follows: (83-4)

1. Page 4, lines 3 through 5.
Following: "engines"
Strike: remainder of lines 3 through 5 in their entirety
Insert: ", consisting of not less than 10% anhydrous ethanol produced in Montana from Montana agricultural products."

And as amended, do pass. Motion failed. (44-47)

That HB 402, as amended, do not pass. (49-41)

Porter moved that HB 150 pass consideration for the day. Motion failed. (29-60)

Fagg moved that HB 150 pass consideration for the day. Motion failed. (39-54)

Dassinger moved that HB 150 pass consideration for the day. Motion failed. (33-57)

Porter, Scully abstained from voting on HB 150 because of a conflict of interest.

That HB 150 do pass. (79-9)

That HB 547, second reading copy, be amended as follows: (68-0)

1. Page 1, line 25 through line 5 on page 2.
Following: "of the district"
Strike: remainder of line 25 through line 5 on page 2 in their entirety
Insert: ", which will support the amount the district board proposes to budget for personal services in excess of the amount appropriated by the legislature for personal services."

2. Page 2, lines 6 through 11.
Following: "(1),"
Strike: remainder of lines 6 through 11 in their entirety
Insert: "the legislature shall use the appropriation for personal services during the second preceding year for each postsecondary vocational-technical center in establishing the appropriation for personal services."

And as amended, do pass. (63-19)

That HB 646 do pass. (76-3)

That HB 727 do pass. (68-4)

That HB 770 do pass. (72-5)

That HB 796 do pass. (85-1)

That HB 898 do pass. (84-0)

That HB 900, second reading copy, be amended as follows: (75-9)

1. Page 1, line 17.
Following: "landowners"
Insert: "residing in oil or gas producing counties of the state but"

And as amended, do pass. (83-0)

That HR 2 be adopted. (83-1)

That the Committee rise and report. (Menahan, Chairman). Menahan moved that the committee report be deemed read. Motion carried. Report adopted. (82-4)

REPORTS OF STANDING COMMITTEES

Dussault moved that all printing reports and Standing Committee Reports with a do pass recommendation be deemed read. Motion carried.

BILLS (Metcalf, Chairman): 3/15/79

Correctly enrolled - HB 163, HB 278, HB 322, HB 391, HB 392, HB 404, HB 499, HB 739, HJR 18.

Examined by the Sponsor and found to be correct - HB 163, HB 278, HB 322, HB 391, HB 392, HB 404, HB 499, HB 739, HJR 18.

Will be signed by the Speaker on adjournment, 3/15/79 - HB 163, HB 278, HB 322, HB 391, HB 392, HB 404, HB 499, HB 739, HJR 18.

Do Pass

JUDICIARY (Scully, Chairman): 3/15/79

SB 205, be concurred in. Report adopted.
SB 260, be concurred in. Report adopted. 3/14/79
SB 286, be concurred in. Report adopted.
SB 346, third reading copy, be amended as follows:

1. Title, lines 5 and 6.
Following: "BY"
Strike: "REQUIRING THE ALLOWANCE OF"
Insert: "ALLOWING THE COURT TO AWARD"

2. Title, line 6.
Strike: "SUCCESSFUL"

3. Title, line 7.
Strike: "WHO ARE NATURAL PERSONS OR SMALL BUSINESSES AND"

4. Title, line 9.
Following: "FRIVOLOUS"
Insert: "OR PURSUED IN BAD FAITH"

5. Page 1, line 13 through line 14, page 3.
Strike: sections 1 and 2 in their entirety
Renumber: subsequent sections

6. Page 3, line 25.
Following: "frivolous"
Insert: "or pursued in bad faith"

7. Page 4, line 6.
Strike: ", wholly or partially,"

8. Page 4, line 7.
Following: ";"
Insert: "and"

9. Page 4, lines 8 and 9.
Strike: subsection (2) in its entirety
Renumber: subsequent subsection

10. Page 4, line 13.
Following: "frivolous"
Insert: "or pursued in bad faith"

11. Page 4, lines 14 through 19.
Strike: section 4 in its entirety
Renumber: subsequent sections

12. Page 4, line 21.
Following: "Costs"
Strike: "shall"
Insert: "may"
Following: "SECTION"
Strike: "3"
Insert: "1"

13. Page 5, line 6.
Following: "Costs"
Strike: "shall"
Insert: "may"

14. Page 5, lines 6 and 7.
Strike: "to an individual or small business"

15. Page 5, line 7.
Following: "1"
Strike: "through"
Insert: "and"
Following: "6"
Strike: "5"
Insert: "2"

16. Page 5, line 14.
Strike: line 14 in its entirety

17. Page 5, line 15.
Following: line 14
Insert: "otherwise provided in"
Following: "actions"
Insert: "other"

And as amended, be concurred in. Report adopted.

SB 355, be concurred in. Report adopted.
SB 394, be concurred in. Report adopted.
SB 409, third reading copy, be amended as follows:

1. Page 3, line 18.
Following: line 17
Insert: "whether"
Following: "under a"
Strike: remainder of line 18
Insert: "decree of judicial separation or otherwise."

And as amended, be concurred in. Report adopted.

SB 426, third reading copy, be amended as follows: 3/15/79

1. Title, line 7.
Following: "NONDANGEROUS OFFENDER"
Insert: "AND TO REVISE THE REQUIREMENTS FOR CLASSIFICATION AS A NONDANGEROUS OFFENDER"

2. Page 1, line 22.
Following: "imposed;"
Strike: "or"
Insert: "and"

And as amended, be concurred in. Report adopted.

SB 454, be concurred in. Report adopted. 3/14/79
SB 461, be concurred in. Report adopted.
SB 511, be concurred in. Report adopted.
HJR 52, do pass. Report adopted.

LOCAL GOVERNMENT (H. Robbins, Chairman): 3/15/79
SB 34, be concurred in. Report adopted.
SB 49, be concurred in. Report adopted.
SB 503, be concurred in. Report adopted.

Adverse Committee Reports

JUDICIARY (Scully, Chairman): 3/15/79
SB 228, be not concurred in.
SB 364, be not concurred in.
SB 476, be not concurred in. 3/14/79
HJR 55, introduced bill, be amended as follows:

1. Page 2, line 13.
Following: "with"
Strike: "six"
Insert: "four"

2. Page 2, line 16.
Following: "the"
Strike: "Planning Committee"
Insert: "interim committee"

And as amended, do not pass.

LOCAL GOVERNMENT (H. Robbins, Chairman): 3/15/79
SB 224, be not concurred in.
SB 267, be not concurred in.
SB 290, be not concurred in.
SB 449, be not concurred in.

MESSAGES FROM THE GOVERNOR

The Honorable Harold Gerke 3/15/79
Speaker
House of Representatives
Helena, Montana

Dear Mr. Speaker:

This is to inform you that I have signed the following measures this date.

House Bill Nos. 16, 39, 70, 72, 133, 188, 226, 232, 279, 495, 676 and 709.

Sincerely,

Thomas L. Judge
Governor

MOTIONS

Dussault moved that SB 262, presently on Second Reading, be passed until the Sixty-fifth Legislative Day.

Dussault moved that the members present and paired on SB 261 on Third Reading this day have their votes recorded, as the pairs were declared invalid and were not in accordance with the rules. Motion carried.

Scully moved that the Journal reflect that he was present this day. Motion carried.

Seifert excused at this time.

Keyser moved that the House request the Senate to return SB 280 for further consideration. Discussion followed. Feda moved the previous question. Motion carried. (50-39) Whereupon, Keyser's motion carried. (51-46)

Dussault moved that the House adjourn until 2:30 p.m., March 16, 1979.

Motion carried.

House adjourned at 6:19 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

SIXTY-FIRST LEGISLATIVE DAY

Helena, Montana
March 16, 1979

House Chambers
Capitol Building

House convened at 2:29 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Brand, Nordtvedt, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Fifty-sixth Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 3/16/79

Will be signed by the Speaker on adjournment, 3/16/79 - SB 61, SB 101, SB 104, SB 109, SB 118, SB 120, SB 165, SB 189, SB 193, SB 196, SB 204, SB 264, SB 281, SB 287, SB 310, SB 332, SB 334, SB 344, SB 382, SB 421.

Signed by the Speaker on adjournment, 3/15/79 - SB 98, SB 103, SB 114, SB 115, SB 131, SB 137, SB 209, SB 212, SB 268, SB 316, SB 331, SB 375, SB 383, SB 398, SB 423, SB 427, SJR 9, SJR 22, SJR 24, SJR 26, HB 163, HB 278, HB 322, HB 391, HB 392, HB 404, HB 499, HB 739, HJR 18.

Delivered to the Governor for his approval at 10:06 a.m., 3/16/79 - HB 163, HB 278, HB 322, HB 391, HB 392, HB 404, HB 499, HB 739.

Do Pass

JUDICIARY (Scully, Chairman): 3/15/79

SB 132, third reading copy, be amended as follows:

1. Page 1, line 12.
Following: "MARGIN"
Insert: "exceeding ¼ of 1% but"

2. Page 1, lines 15 through 17.
Following: "the"
Strike: remainder of line 15 through "precinct" on line 17 in its entirety
Insert: "officer with whom his declaration or petition for nomination was filed"

And as amended, be concurred in. Report adopted.

SB 225, third reading copy, be amended as follows:

1. Page 1, line 24.
Strike: "CONVICTION OF"

And as amended, be concurred in. Report adopted.

SB 256, third reading copy, be amended as follows:

1. Page 2, line 18.

Following: "circulated."
Insert: "The sample petition may not be submitted to the secretary of state more than 1 year prior to the final date for filing the signed petition with the secretary of state."

2. Page 3, line 7.
Strike: "or rejection together with reasons for rejection"

3. Page 3, line 9.
Following: "sheet."
Insert: "The secretary of state shall send written notice if the petition has been rejected together with reasons for rejection within 14 days after submission of the petition sheet."

4. Page 3, line 15.
Following: line 14
Strike: "1 year"
Insert: "9 months"

5. Page 10, line 13.
Following: line 12
Insert: "(2) If the opponents of a ballot measure believe that the statement of purpose or the statements of implication of a vote formulated by the attorney general pursuant to 13-27-312 do not satisfy the requirements of 13-27-312, they may, within 10 days of the date of certification to the governor that the completed petition has been officially filed, file an action in the district court in and for the county of Lewis and Clark challenging the adequacy of the statement and requesting the court to alter the statement."
Renumber: subsequent subsections

6. Page 13, lines 18 and 19.
Following: "~~each county~~"
Strike: "each mailing address in the county at which a registered voter resides and"
Insert: "every voter in each county, except that two or more voters with the same mailing address and the same last name may be counted as one voter. The secretary of state shall"

7. Page 14, lines 7 and 8.
Following: line 6
Strike: "mailing address in the county at which a registered voter resides"
Insert: "registered voter in the county, except that two or more voters with the same mailing address and the same last name may be counted as one voter. The mailing shall take place"

And as amended, be concurred in. Report adopted.

Adverse Committee Reports

JUDICIARY (Scully, Chairman): 3/14/79
SB 386, third reading copy, be amended as follows:

1. Title, line 7.
Following: "RULE"
Insert: "; AMENDING SECTION 3-10-231, MCA, AND SECTION 3-11-203, MCA, AS AMENDED BY SECTION 28, CHAPTER 21, LAWS OF 1979; REPEALING SECTION 25-10-205, MCA, AND SECTIONS 93-901, 95-1709, AND 95-2010, R.C.M 1947"

2. Page 1, line 16.

Following: line 15
Insert: "NEW SECTION."

3. Page 4.
Following: line 15
Insert: "SECTION 3. SECTION 3-10-231, MCA, IS AMENDED TO READ:

'3-10-231. Circumstances in which an acting justice called in — by whom. (1) Whenever a justice of the peace is disqualified from acting in any action ~~because of the application of the supreme court's rules on disqualification and substitution of judges, subdivision 1, 2, or 3~~, he shall either transfer the action to another justice's court in the same county or call a justice from a neighboring county to preside in his behalf.

(2) Whenever a justice is sick, disabled, or absent and the county commissioners find that there is a delay in the proper administration of justice or the county attorney makes a written request, another justice, if there is one readily available, or a city judge or some other qualified person shall be called in to hold court for the absent justice until his return.

(3) During the time when a justice of the peace is on vacation or attending a training session, another justice of the peace of the same county shall be authorized to handle matters that otherwise would be handled by the absent justice. When there is no other justice of the peace in the county, the county commissioners shall handle the situation in the same manner as if the justice were sick or absent.

(4) A justice of the peace of any county may hold the court of any other justice of the peace at his request.'

SECTION 4. SECTION 28, CHAPTER 21, LAWS OF 1979, IS AMENDED TO READ:

'Section 28. Section 3-11-203, MCA, is amended to read:

3-11-203. When substitute for judge called in. ~~(1)~~ The city judge or mayor may call in a justice of the peace or some qualified resident of the city or town to act in the judge's place whenever the judge is:

~~(a)~~ (1) a party in a case;

~~(b)~~ (2) interested in a case;

~~(c)~~ (3) the spouse of or related to either party in a case by consanguinity or affinity within the sixth degree; or

~~(d)~~ (4) sick, absent, or unable to act.

~~(2) The city judge may call in a justice of the peace or some qualified resident of the city or town to act in his stead when a disqualifying affidavit is filed against him pursuant to the supreme court's rules on disqualification and substitution of judges.~~'

Section 5. Sections reinstated — instruction to code commissioner. Sections 93-2906(4), 93-2907, and 93-6602(2), R.C.M. 1947, are reinstated in the statutes of Montana. The code commissioner shall codify these sections in the appropriate places in the MCA.

Section 6. Repealer. Section 25-10-205, MCA, is repealed. Sections 93-901, 95-1709, and 95-2010, R.C.M. 1947, are repealed."

And as amended, be not concurred in.

Harper, Sales, Donaldson, Keyser, Burnett, Johnston, Thoft, Ellison, Ellerd, Iverson objected that SB 224 was reported out of committee with a be not concurred in recommendation and requested that the bill be referred to Second Reading.

MESSAGES FROM THE OTHER HOUSE

House Bills concurred in and returned to the House: 3/15/79

House Bill No. 67, introduced by Cooney

House Bill No. 209, introduced by Lund

House Bill No. 220, introduced by Seifert, Burnett, Iverson, Marks, et al

House Bill No. 233, introduced by Bennett

House Bill No. 234, introduced by Bennett

House Bill No. 270, introduced by Kemmis

House Bill No. 348, introduced by Iverson, Schultz, Seifert, Marks, et al

House Bill No. 375, introduced by Seifert, Conroy, Tropila, Roth, et al

House Bill No. 378, introduced by Manning, Magone, McBride, Johnson, et al

House Bill No. 445, introduced by Brand, Marks, Menahan, Kanduch, et al

House Bill No. 491, introduced by Menahan, Gilligan, Daily, Harrington, Pavlovich

House Bill No. 498, introduced by Hemstad

House Bill No. 666, introduced by Conroy, Hand, Brand, Nathe

House Bill No. 668, introduced by Ramirez, Scully

House Bill No. 705, introduced by Yardley, Vincent, Scully

House Bill No. 780, introduced by Brand, McBride, Oberg, South, Hafferman, et al

The Senate on 3/15/79, acceded to the request of the House of Representatives and appointed a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 100.

The President appointed the following members:

Senator Kolstad, Chairman
Senator Graham
Senator Hager

House Bills concurred in as amended and returned to the House for concurrence in Senate Amendments: 3/15/79

House Bill No. 21, introduced by Quilici

House Bill No. 230, introduced by Kemmis, Watt, Shelden, et al

House Bill No. 235, introduced by Ellerd, Holmes, Cooney, et al

House Bill No. 349, introduced by Anderson, Keyser, Dozier, et al

House Bill No. 377, introduced by Nathe

House Bill No. 619, introduced by Kemmis

House Bill No. 642, introduced by Harper, Stobie

House Bill No. 678, introduced by Pistoria, Thomas, Conroy, et al

House Bill No. 815, introduced by Nathe, Keyser, Manuel, et al

House Bills not concurred in and returned to the House: 3/15/79

House Bill No. 60, introduced by Fagg

House Bill No. 76, introduced by Ramirez

House Bill No. 324, introduced by Menahan, Baeth, et al

House Bill No. 593, introduced by Johnston, Pavlovich, Manning, Dozier

House Bill No. 617, introduced by Baeth, Shelden, Uhde, et al

House Bill No. 655, introduced by Moore, Fabrega, Goodover, O'Hara

House Bill No. 694, introduced by Day, Thiessen, Conroy, Lien, et al

House Bill No. 732, introduced by Harper

House Joint Resolution concurred in and returned to the House: 3/15/79

House Joint Resolution No. 38, introduced by Magone, Brand, South, Galt, Gilligan, et al

Senate Joint Resolutions passed and transmitted to the House for concurrence: 3/15/79

Senate Joint Resolution No. 29, introduced by Turnage, McCallum, Lowe

Senate Joint Resolution No. 32, introduced by Galt, Boylan, Donaldson, et al

The Senate on 3/15/79, requested the return of the following House Bill for further consideration:

House Bill No. 623, introduced by Kropp, Johnston, Wyrick

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 913, introduced by Scully. Referred to Committee on Appropriations.
HB 914, introduced by Menahan, Wood, Bardanouve. Referred to Committee on Appropriations.

The following Senate joint resolutions were introduced, read first time and referred to committees:

SJR 29, introduced by Turnage, McCallum, Lowe. Referred to Committee on Rules.
SJR 32, introduced by Galt, Boylan, Donaldson, Lien, Ellerd, Scully. Referred to Committee on Agriculture, Livestock and Irrigation.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 28 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Williams, Wyrick, Yardley, Mr. Speaker.
Total 82

Noes: Bertelsen, Feda, Keedy, K. Robbins, Staigmiller, Vinger, Wood.
Total 7

Excused: Brand, Nordtvedt.
Total 2

Absent or not voting: Bardanouve, Fagg, Hurwitz, Lien, Menahan, Ramirez, Reichert, South, Waldron.
Total 9

Senate Bill No. 155 was concurred in by the following vote:

Ayes: Azzara, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Day, Donaldson, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Huennekens, Iverson, Jensen, Johnson, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Manuel, Marks, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Porter, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 72

Noes: Anderson, Baeth, Brand, Cooney, Daily, Dassinger, Dozier, Frates, Harrington, Holmes, Johnston, Kanduch, Kemmis, McBride, Magone, Manning, Menahan, Pavlovich, Pistoria, Quilici, K. Robbins, Shelden, Teague.
Total 23

Paired: Sivertsen, Aye; Brand, No.

Excused: Nordtvedt.
Total 1

Absent or not voting: Bardanouve, Hurwitz, Ramirez, Waldron.
Total 4

Senate Bill No. 203 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne,

Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Keedy, Stobie, Uhde.
Total 3

Excused: Brand, Nordtvedt.
Total 2

Absent or not voting: Dassinger, Hurwitz, Ramirez, Waldron.
Total 4

Senate Bill No. 208 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Hayne, Stobie, Underdal.
Total 3

Excused: Brand, Nordtvedt.
Total 2

Absent or not voting: Hurwitz, Ramirez, Waldron.
Total 3

Senate Bill No. 304 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Brand, Nordtvedt.
Total 2

Absent or not voting: Hurwitz, Ramirez, Shelden, Waldron.
Total 4

Senate Bill No. 377 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Burnett, Moore, Smith, Vinger.
Total 4

Excused: Brand, Nordtvedt.
Total 2

Absent or not voting: Hurwitz, Ramirez, Waldron.
Total 3

Senate Bill No. 410 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Brand, Nordtvedt.
Total 2

Absent or not voting: Ellis, Hurwitz, Lory, Ramirez, Waldron.
Total 5

Senate Bill No. 456 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson,

Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Brand, Nordtvedt.
Total 2

Absent or not voting: Hurwitz.
Total 1

House Bill No. 630 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Bennett, Ellerd, Ellison, Sales, Smith, Underdal.
Total 6

Excused: Brand, Nordtvedt.
Total 2

Absent or not voting: Hurwitz, Sivertsen.
Total 2

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Keyser in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SA to HB 32 be concurred in. (81-1)

That SA to HB 118 be concurred in. (84-0)

That SA to HB 223 be concurred in. (77-2)

Lien moved that SA to HB 361 be placed below SA to HB 817. Motion carried.

That SA to HB 432 be not concurred in. (79-3)

That SA to HB 443 be concurred in. (82-0)

That SA to HB 457 be concurred in. (81-0)

That SA to HB 486 be concurred in. (76-5)

That SA to HB 513 be concurred in. (83-0)

That SA to HB 514 be concurred in. (83-0)

That SA to HB 549 be concurred in. (82-1)

That SA to HB 608 be not concurred in. (75-11)

That SA to HB 648 be concurred in. (82-0)

Scully moved that consideration of SA to HB 779 pass for the day. Motion carried.

That SA to HB 782 be concurred in. (79-9)

That SA to HB 786 be concurred in. (85-0)

That SA to HB 817 be concurred in. (82-2)

That SA to HB 361 be concurred in. (84-0)

That HB 639, second reading copy, be amended as follows: (75-1)

1. Page 3, line 24.
Following: "on"
Strike: "January"
Insert: "March"

2. Page 6, line 16.
Following: "state after"
Strike: "January"
Insert: "March"

And as amended, do pass. (53-36)

That SB 497, reference bill, be amended as follows: (86-0)

1. Page 4, line 19.
Following: "(2)"
Strike: "(A)"
Following: "OF"
Strike: "[SECTION 1(1)]"
Insert: "subsection (1)"

And as amended, be concurred in. (78-3)

That SB 34 be concurred in. (77-1)

McBride moved that SB 49 pass consideration for the day. Motion carried.

That SB 205 be concurred in. (79-0)

That SB 260 be concurred in. (78-4)

That SB 286 be concurred in. (49-43)

That SB 346 be concurred in. (80-2)

That SB 355 be concurred in. (73-5)

That SB 394 be concurred in. (80-2)

That SB 409 be concurred in. (69-16)

Kemmis excused at this time.

That SB 426 be concurred in. (79-0)

That SB 454 be concurred in. (82-1)

That SB 461 be concurred in. (84-0)

That SB 503 be concurred in. (78-0)

That SB 511 be concurred in. (78-0)

That SJR 28 be concurred in. (66-16)

That HJR 53 do pass. (80-1)

Iverson moved that SA to HB 603 pass consideration for the day. Motion carried.

That the Committee rise and report. (Keyser, Chairman). Keyser moved that the committee report be deemed read. Motion carried. Report adopted. (81-2)

REPORTS OF STANDING COMMITTEES

Vincent moved that all printing reports be deemed read. Motion carried.

BILLS (Metcalf, Chairman): 3/16/79

Correctly printed - HJR 52.

Correctly enrolled - HB 61, HB 145, HB 166, HB 247, HB 276, HB 327, HB 328, HB 337, HB 341, HB 403, HB 500, HB 574, HB 582, HB 589, HB 610, HB 644, HB 730, HB 735, HB 736, HB 756, HB 802, HJR 8.

Considered correctly engrossed - HB 150, HB 646, HB 727, HB 770, HB 796, HB 898.

Examined by the Sponsor and found to be correct - HB 61, HB 145, HB 166, HB 247, HB 276, HB 327, HB 328, HB 337, HB 341, HB 403, HB 500, HB 574, HB 582, HB 589, HB 610, HB 644, HB 730, HB 735, HB 736, HB 756, HB 802, HJR 8.

Will be signed by the Speaker on adjournment, 3/16/79 - HB 61, HB 145, HB 166, HB 247, HB 276, HB 327, HB 328, HB 337, HB 341, HB 403, HB 500, HB 574, HB 582, HB 589, HB 610, HB 644, HB 730, HB 735, HB 736, HB 756, HB 802, HJR 8.

Do Pass

APPROPRIATIONS (Bardanouve, Chairman): 3/16/79

HB 116, do pass. Report adopted.

MOTIONS

Vincent moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to HB 432. Motion carried.

Vincent moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to HB 608. Motion carried.

Vincent moved that SB 286 be taken from Reference Printing and referred to the Committee on Appropriations. Motion carried.

Kanduch moved that his vote on SB 155 on Third Reading this day be changed from nay to aye. Motion carried unanimously.

Scully moved that Senate Amendments to HB 779 be passed until the Sixty-third Legislative Day. Motion carried.

Uhde moved that the House reconsider its action in failing to pass HB 402 on Second Reading the Sixtieth Legislative Day. Motion carried. (71-9)

Bardanouve moved that the House request the Senate to return SB 261 for further consideration. Motion carried. (68-12)

UNFINISHED BUSINESS

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on SA to HB 283:

Gilligan, Chairman
Moore
Magone

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on SA to HB 594:

Scully, Chairman
McBride
Spilker

Dussault moved that the House adjourn until 1:00 p.m., March 17, 1979.

Motion carried.

House adjourned at 4:41 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

SIXTY-SECOND LEGISLATIVE DAY

Helena, Montana
March 17, 1979

House Chambers
Capitol Building

House convened at 1:01 p.m., Mr. Speaker in the Chair. Invocation by Representative Bertelsen. Pledge of Allegiance to the Flag.

Roll call. All members present except Day, Gilligan, Gould, Harper, Harrington, Nordtvedt, Porter, H. Robbins, Shelden, Vinger, excused; Daily, Kessler, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Fifty-seventh Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 3/17/79
Correctly printed - HB 116.
Correctly engrossed - HB 547, HB 900.
Considered correctly engrossed - HJR 53.

Delivered to the Governor for his approval at 10:30 a.m., 3/17/79 - HB 61, HB 145, HB 166, HB 247, HB 276, HB 327, HB 328, HB 337, HB 341, HB 403.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Metcalf, Chairman): 3/16/79

Recommend that the following be employed by the House of Representatives for the 46th Session at the beginning of business March 12, 1979:

Matthew McCann.....Page
Casey Johnston.....Page
Carol Engler.....Page
Donna Morrow.....Page
Mary Nordell.....Page
Matt Pelletier.....Page
Patricia Eusterman.....Page
Mark Burnham.....Page

At the beginning of business March 14, 1979, the following also be employed:

Linda Duffin.....Page
Mike Menahan.....Page

At the close of business March 10 and 13, 1979, the following also be terminated:

Jason Greer.....Page
Denise Donaldson.....Page
Deana Barbo.....Page
Terry Stephens.....Page
Janice Tonkin.....Page
Jeri Gerke.....Page
Bobbette Phillips.....Page

Report adopted.

Adverse Committee Reports

TAXATION (Huennekens, Chairman): 3/16/79
HB 651, do not pass.
HB 765, do not pass.

On motion by Teague, the Adverse Committee Report on HJR 55 was adopted by the following vote: (62-21)

Ayes: Baeth, Bardanouve, Bennett, Brand, Cooney, Donaldson, Dozier, Ellis, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Hand, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Smith, South, Spilker, Staigmiller, Teague, Thoft, Vincent, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 62

Noes: Anderson, Azzara, Bengtson, Burnett, Conroy, Curtiss, Dassinger, Dussault, Ellerd, Ellison, Fabrega, Huennekens, Lund, Marks, Meyer, Moore, Ramirez, Stobie, Tropila, Uhde, Wood.
Total 21

Excused: Day, Gilligan, Gould, Harper, Harrington, Nordtvedt, Porter, H. Robbins, Shelden, Vinger.
Total 10

Absent or not voting: Bertelsen, Daily, Kemmis, Kessler, Scully, Sivertsen, Underdal.
Total 7

On motion by Teague, the Adverse Committee Report on SB 228 was adopted by the following vote: (53-31)

Ayes: Baeth, Bardanouve, Bennett, Bertelsen, Conroy, Cooney, Donaldson, Dozier, Dussault, Ellis, Eudaily, Fagg, Feda, Gesek, Hand, Hayne, Hirsch, Holmes, Huennekens, Jensen, Johnson, Johnston, Kanduch, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Marks, Menahan, Metcalf, Oberg, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, Rosenthal, Seifert, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 53

Noes: Anderson, Bengtson, Brand, Burnett, Curtiss, Dassinger, Ellerd, Ellison, Ernst, Fabrega, Frates, Hemstad, Iverson, Keedy, Keyser, Kropp, Manuel, Meyer, Moore, Nathe, O'Connell, K. Robbins, Roth, Sales, Schultz, Spilker, Thoft, Tropila, Underdal, Wood, Wyrick.
Total 31

Excused: Day, Gilligan, Gould, Harper, Harrington, Nordtvedt, Porter, H. Robbins, Shelden, Vinger.
Total 10

Absent or not voting: Azzara, Daily, Hurwitz, Kemmis, Kessler, Scully.
Total 6

On motion by Reichert, the Adverse Committee Report on SB 267 was adopted by the following vote: (72-12)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Frates, Gesek, Hand,

Hirsch, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 72

Noes: Donaldson, Fabrega, Feda, Hemstad, Holmes, Huennekens, Meyer, Moore, Nathe, Smith, Underdal, Wood.
Total 12

Excused: Day, Gilligan, Gould, Harper, Harrington, Nordtvedt, Porter, H. Robbins, Shelden, Vinger.
Total 10

Absent or not voting: Daily, Hayne, Hurwitz, Keedy, Kessler, Scully.
Total 6

On motion by Reichert, the Adverse Committee Report on SB 290 was adopted by the following vote: (77-9)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Cooney, Curtiss, Dassinger, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Hand, Hayne, Hemstad, Hirsch, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 77

Noes: Burnett, Conroy, Ellerd, Holmes, Huennekens, Keedy, Nathe, Uhde, Waldron.
Total 9

Excused: Day, Gilligan, Gould, Harper, Harrington, Nordtvedt, Porter, H. Robbins, Shelden, Vinger.
Total 10

Absent or not voting: Daily, Hurwitz, Kessler, Scully.
Total 4

On motion by Teague, the Adverse Committee Report on SB 364 was adopted by the following vote: (66-19)

Ayes: Anderson, Baeth, Bardanouve, Bennett, Bertelsen, Conroy, Curtiss, Dassinger, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Hand, Hayne, Hemstad, Hirsch, Holmes, Iverson, Johnston, Kanduch, Keedy, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Schultz, Seifert, Sivertsen, South, Spilker, Staigmiller, Stobie, Thoft, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 66

Noes: Azzara, Bengtson, Brand, Burnett, Cooney, Dussault, Frates, Huennekens, Jensen, Johnson, Kemmis, Oberg, O'Connell, Sales, Smith, Teague, Tropila, Uhde, Waldron.

Total 19

Excused: Day, Gilligan, Gould, Harper, Harrington, Nordtvedt, Porter, H. Robbins, Shelden, Vinger.
Total 10

Absent or not voting: Daily, Gesek, Hurwitz, Kessler, Scully.
Total 5

On motion by Teague, the Adverse Committee Report on SB 476 was adopted by the following vote: (73-14)

Ayes: Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Ellerd, Ellis, Ernst, Eudaily, Fagg, Feda, Gesek, Hand, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, Moore, Nathe, Oberg, O'Connell, Pavlovich, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 73

Noes: Anderson, Baeth, Brand, Burnett, Dussault, Ellison, Fabrega, Frates, Hemstad, McBride, Metcalf, Meyer, Teague, Uhde.
Total 14

Excused: Day, Gilligan, Gould, Harper, Harrington, Nordtvedt, Porter, H. Robbins, Shelden, Vinger.
Total 10

Absent or not voting: Kessler, Pistoria, Scully.
Total 3

On motion by Reichert, the Adverse Committee Report on SB 449 was adopted by the following vote: (74-12)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Hand, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Schultz, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 74

Noes: Bengtson, Burnett, Ellerd, Ellison, Hayne, Hemstad, Manuel, Sales, Seifert, Smith, Stobie, Underdal.
Total 12

Excused: Day, Gilligan, Gould, Harper, Harrington, Nordtvedt, Porter, H. Robbins, Shelden, Vinger.
Total 10

Absent or not voting: Keedy, Kessler, Pistoria, Scully.
Total 4

MESSAGES FROM THE OTHER HOUSE

House Bill concurred in as amended and returned to the House for concurrence in Senate Amendments: 3/15/79

House Bill No. 302, introduced by Quilici, Manning, Dussault, et al

House Bill indefinitely postponed and returned to the House: 3/15/79

House Bill No. 701, introduced by Rosenthal, Burnett, Harper, et al

The Senate on 3/16/79, acceded to the request for the return of Senate Bill No. 280, introduced by Hazelbaker, Kolstad, et al, and is returning the said bill to the House for further consideration.

House Bills and House Joint Resolutions concurred in and returned to the House: 3/16/79

House Bill No. 13, introduced by Nathe

House Bill No. 17, introduced by Tropila

House Bill No. 19, introduced by Manning

House Bill No. 107, introduced by Hurwitz, Donaldson, Sales, et al

House Bill No. 175, introduced by Bengtson, Burnett

House Bill No. 217, introduced by Hirsch, B. Brown, et al

House Bill No. 383, introduced by Ramirez, Porter, Fagg, et al

House Bill No. 463, introduced by Gould, Metcalf, Cooney, et al

House Bill No. 618, introduced by Keedy, Ramirez, Sivertsen, Conroy, et al

House Bill No. 711, introduced by Kropp, Bennett, Manning, et al

House Joint Resolution No. 7, introduced by Dussault

House Joint Resolution No. 48, introduced by Day

Senate Bills passed as amended and transmitted to the House for concurrence: 3/16/79

Senate Bill No. 477, introduced by Hager

Senate Bill No. 508, introduced by Manley

House Amendments to Senate Bills concurred in: 3/16/79

House Amendments to Senate Bill No. 59, introduced by Brown

House Amendments to Senate Bill No. 227, introduced by E. Smith, Kolstad, et al

House Amendments to Senate Bill No. 305, introduced by Watt

House Amendments to Senate Bill No. 335, introduced by Lockrem

House Amendments to Senate Bill No. 441, introduced by Lensink

House Bills not concurred in and returned to the House: 3/16/79

House Bill No. 414, introduced by Keedy, Kemmis, Huennekens, Vincent, et al

House Bill No. 673, introduced by Keedy

House Bill No. 731, introduced by Harrington, Quilici, Daily, Pavlovich, et al

Senate Joint Resolution passed and transmitted to the House for concurrence: 3/16/79

Senate Joint Resolution No. 31, introduced by Hafferman

House Bills and House Joint Resolutions concurred in as amended and returned to the House for concurrence in Senate Amendments: 3/16/79

House Bill No. 14, introduced by Nathe

House Bill No. 24, introduced by Oberg

House Bill No. 371, introduced by Ramirez, Huennekens

House Bill No. 482, introduced by Meyer, Rasmussen, Scully, et al

House Bill No. 521, introduced by Nathe, Lund

House Bill No. 585, introduced by Gould, Harrington, Bennett

House Joint Resolution No. 34, introduced by Oberg, Brand, Dassinger, et al

House Joint Resolution No. 49, introduced by Quilici

MOTIONS

Nathe moved that the rules be suspended to allow the introduction of a House Joint Resolution concerning permits needed in developing natural resources. Motion carried. (81-0)

Uhde moved that HB 402, on Second Reading this day, be passed until the Sixty-fourth Legislative Day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bills were introduced, read first time and referred to committees:

SB 477, introduced by Hager. Referred to Committee on Taxation.
SB 508, introduced by Manley. Referred to Committee on Taxation.
SJR 31, introduced by Hafferman. Referred to Committee on Highways and Transportation.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 422 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Hand, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 87

Noes: South.
Total 1

Excused: Day, Gilligan, Gould, Harper, Harrington, Nordtvedt, Porter, H. Robbins, Shelden, Vinger.

Total 10

Absent or not voting: Kessler, Scully.
Total 2

Senate Bill No. 473 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Hand, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: None.
Total 0

Excused: Day, Gilligan, Gould, Harper, Harrington, Nordtvedt, Porter, H. Robbins, Shelden, Vinger.
Total 10

Absent or not voting: Scully.
Total 1

House Bill No. 150 was passed by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Hand, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Seifert, Sivertsen, Smith, South, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 82

Noes: Azzara, Bardanouve, Brand, Fagg, Kemmis, Sales, Teague.
Total 7

Paired: H. Robbins, Aye; Sales, No.

Excused: Day, Gilligan, Gould, Harper, Harrington, Nordtvedt, Porter, Shelden, Vinger.
Total 9

Absent or not voting: Scully, Spilker.
Total 2

House Bill No. 646 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda,

Frates, Gesek, Hand, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: None.
Total 0

Excused: Day, Gilligan, Gould, Harper, Harrington, Nordtvedt, Porter, H. Robbins, Shelden, Vinger.
Total 10

Absent or not voting: Bertelsen, Scully.
Total 2

House Bill No. 727 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Hand, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, K. Robbins, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 86

Noes: Curtiss, Keyser, Rosenthal.
Total 3

Excused: Day, Gilligan, Gould, Harper, Harrington, Nordtvedt, Porter, H. Robbins, Shelden, Vinger.
Total 10

Absent or not voting: Scully.
Total 1

House Bill No. 770 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Hand, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Seifert, Sivertsen, Smith, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 80

Noes: Bardanouve, Brand, Johnson, Manning, South, Staigmiller.
Total 6

Excused: Day, Gilligan, Gould, Harper, Harrington, Nordtvedt, Porter, H. Robbins, Shelden, Vinger.
Total 10

Absent or not voting: Bennett, Huennekens, Schultz, Scully.
Total 4

House Bill No. 796 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Hand, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: None.
Total 0

Excused: Day, Gilligan, Gould, Harper, Harrington, Nordtvedt, Porter, H. Robbins, Shelden, Vinger.
Total 10

Absent or not voting: Bennett, Scully.
Total 2

House Bill No. 898 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Hand, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: None.
Total 0

Excused: Day, Gilligan, Gould, Harper, Harrington, Nordtvedt, Porter, H. Robbins, Shelden, Vinger.
Total 10

Absent or not voting: Fagg, Scully.
Total 2

Senate Amendments to House Bill No. 32 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger,

Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Hand, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 84

Noes: Keedy.
Total 1

Excused: Day, Gilligan, Gould, Harper, Harrington, Nordtvedt, Porter, H. Robbins, Shelden, Vinger.
Total 10

Absent or not voting: Kemmis, Kropp, Sales, Scully, Underdal.
Total 5

Senate Amendments to House Bill No. 118 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Hand, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 86

Noes: Keedy, Pistoria.
Total 2

Excused: Day, Gilligan, Gould, Harper, Harrington, Nordtvedt, Porter, H. Robbins, Shelden, Vinger.
Total 10

Absent or not voting: Ellison, Scully.
Total 2

Senate Amendments to House Bill No. 223 were concurred in by the following vote:

Ayes: Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Hand, Hayne, Hemstad, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 81

Noes: Anderson, Azzara, Brand, Kemmis, Keyser, Yardley.
Total 6

Excused: Day, Gilligan, Gould, Harper, Harrington, Nordtvedt, Porter, H. Robbins, Shelden, Vinger.
Total 10

Absent or not voting: Fagg, Hirsch, Scully.
Total 3

Senate Amendments to House Bill No. 361 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Hand, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Quilici, Reichert, K. Robbins, Rosenthal, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 80

Noes: Moore, Pistoria, Ramirez, Roth.
Total 4

Excused: Day, Gilligan, Gould, Harper, Harrington, Nordtvedt, Porter, H. Robbins, Shelden, Vinger.
Total 10

Absent or not voting: Baeth, Burnett, Eudaily, Kropp, Scully, Staigmiller.
Total 6

Senate Amendments to House Bill No. 443 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Hand, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 87

Noes: Brand.
Total 1

Excused: Day, Gilligan, Gould, Harper, Harrington, Nordtvedt, Porter, H. Robbins, Shelden, Vinger.
Total 10

Absent or not voting: Ellerd, Scully.
Total 2

Senate Amendments to House Bill No. 457 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Hand, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: Roth.
Total 1

Excused: Day, Gilligan, Gould, Harper, Harrington, Nordtvedt, Porter, H. Robbins, Shelden, Vinger.
Total 10

Absent or not voting: Scully.
Total 1

Senate Amendments to House Bill No. 486 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Hand, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: Johnston.
Total 1

Excused: Day, Gilligan, Gould, Harper, Harrington, Nordtvedt, Porter, H. Robbins, Shelden, Vinger.
Total 10

Absent or not voting: Scully.
Total 1

Senate Amendments to House Bill No. 513 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Hand, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen,

Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: None.
Total 0

Excused: Day, Gilligan, Gould, Harper, Harrington, Nordtvedt, Porter, H. Robbins, Shelden, Vinger.
Total 10

Absent or not voting: Scully.
Total 1

Senate Amendments to House Bill No. 514 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Hand, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: None.
Total 0

Excused: Day, Gilligan, Gould, Harper, Harrington, Nordtvedt, Porter, H. Robbins, Shelden, Vinger.
Total 10

Absent or not voting: Scully.
Total 1

Senate Amendments to House Bill No. 549 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Hand, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, K. Robbins, Roth, Sales, Seifert, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 82

Noes: Brand, Keedy, Oberg.
Total 3

Excused: Day, Gilligan, Gould, Harper, Harrington, Nordtvedt, Porter, H. Robbins, Shelden, Vinger.

Total 10

Absent or not voting: Rosenthal, Schultz, Scully, Spilker, Thoft.
Total 5

Senate Amendments to House Bill No. 648 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Hand, Hayne, Hemstad, Holmes, Huennekens, Hurwitz, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Wyrick, Yardley.
Total 84

Noes: None.
Total 0

Excused: Day, Gilligan, Gould, Harper, Harrington, Nordtvedt, Porter, H. Robbins, Shelden, Vinger.
Total 10

Absent or not voting: Dozier, Hirsch, Iverson, Scully, Underdal, Mr. Speaker.
Total 6

Senate Amendments to House Bill No. 782 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Hemstad, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, Rosenthal, Sales, Schultz, Seifert, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 79

Noes: Hirsch, Keedy, Nathe, K. Robbins, Roth, Smith.
Total 6

Excused: Day, Gilligan, Gould, Harper, Harrington, Nordtvedt, Porter, H. Robbins, Shelden, Vinger.
Total 10

Absent or not voting: Hand, Hayne, Lory, Oberg, Scully.
Total 5

Senate Amendments to House Bill No. 786 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega,

Fagg, Feda, Frates, Gesek, Hand, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: None.
Total 0

Excused: Day, Gilligan, Gould, Harper, Harrington, Nordtvedt, Porter, H. Robbins, Shelden, Vinger.
Total 10

Absent or not voting: Scully, Underdal.
Total 2

Senate Amendments to House Bill No. 817 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Hand, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 85

Noes: Huennekens, Keedy, Oberg, Staigmiller.
Total 4

Excused: Day, Gilligan, Gould, Harper, Harrington, Nordtvedt, Porter, H. Robbins, Shelden, Vinger.
Total 10

Absent or not voting: Scully.
Total 1

Senate Bill No. 280 was concurred in by the following vote:

Ayes: Anderson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Day, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fagg, Feda, Hand, Hayne, Hirsch, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Keyser, Kropp, Kvaalen, Lien, Lund, Magone, Manuel, Marks, Nathe, Porter, Ramirez, H. Robbins, K. Robbins, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Underdal, Vinger, Wood, Wyrick.
Total 51

Noes: Azzara, Baeth, Bardanouve, Bengtson, Brand, Cooney, Daily, Dassinger, Dozier, Dussault, Ellis, Fabrega, Frates, Gesek, Gilligan, Harper, Harrington, Hemstad, Holmes, Huennekens, Johnston, Keedy, Kemmis, Kessler, Lory, McBride, Manning, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert,

Rosenthal, Shelden, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 48

Paired: Conroy, Day, Hand, Keyser, Porter, H. Robbins, Scully, Seifert, Smith, Staigmiller, Vinger, Ayes; Dozier, Dussault, Gilligan, Harper, Harrington, Menahan, Metcalf, Nordtvedt, Quilici, Shelden, Vincent, Noes.

Excused: Gould.
Total 1

Absent or not voting: None.
Total 0

Gould, Harper, Shelden present at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Uhde in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 49 be concurred in. (81-0)

That SB 132 be concurred in. (67-15)

That SB 225 be concurred in. (79-0)

That SB 256 be concurred in. (87-0)

That SA to HB 603 be not concurred in. (79-4)

That SA to HB 21 be concurred in. (81-0)

That SA to HB 230 be not concurred in. (79-0)

That SA to HB 235 be concurred in. (77-7)

That SA to HB 349 be concurred in. (83-0)

That SA to HB 377 be concurred in. (74-4)

That SA to HB 606 be not concurred in. (76-1)

That SA to HB 619 be concurred in. (72-0)

That SA to HB 642 be concurred in. (77-1)

That SA to HB 678 be not concurred in. (69-11)

That SA to HB 815 be concurred in. (77-0)

That the Committee rise and report. (Uhde, Chairman). Uhde moved that the committee report be deemed read. Motion carried. Report adopted. (81-1)

REPORTS OF STANDING COMMITTEES

Dussault moved that all printing reports be deemed read this day. Motion carried.

BILLS (Metcalf, Chairman): 3/17/79

Will be signed by the Speaker on adjournment, 3/17/79 - SB 9, SB 10, SB 152, SB 153, SB 251, SB 293, SB 296, SB 307, SB 336, SB 339, SB 350, SB 396, SB 407, SJR 19.

Signed by the Speaker on adjournment, 3/16/79 - HB 61, HB 145, HB 166, HB 247, HB 276, HB 327, HB 328, HB 337, HB 341, HB 403, HB 500, HB 574, HB 582, HB 589, HB 610, HB 644, HB 730, HB 735, HB 736, HB 756, HB 802, HJR 8, SB 61, SB 101, SB 104, SB 109, SB 118, SB 120, SB 165, SB 189, SB 193, SB 196, SB 204, SB 264, SB 281, SB 287, SB 310, SB 332, SB 334, SB 344, SB 382, SB 421.

Delivered to the Governor for his approval at 10:30 a.m., 3/17/79 - HB 500, HB 574, HB 582, HB 589, HB 610, HB 644, HB 730, HB 735, HB 736, HB 756, HB 802.

MOTIONS

Dussault moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to HB 603. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to HB 606. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on HB 230. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to HB 678. Motion carried.

UNFINISHED BUSINESS

The Speaker appointed the following Conference Committees of three to meet with like committees from the Senate on Senate Amendments to the following House Bills and House Joint Resolution:

HB 432 - Menahan, Chairman
Donaldson
Manning

HB 608 - Scully, Chairman
Gould
Rosenthal

HJR 21 - Quilici, Chairman
Bennett
Metcalf

Dussault moved that the House adjourn until 1:00 p.m., March 19, 1979.

Motion carried.

House adjourned at 2:24 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

SIXTY-THIRD LEGISLATIVE DAY

Helena, Montana
March 19, 1979

House Chambers
Capitol Building

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Day, Rosenthal, Teague, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Fifty-eighth Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

Dussault moved that all Standing Committee Reports with do pass recommendations and all printing reports be deemed read this day. Motion carried.

BILLS (Metcalf, Chairman): 3/19/79

Correctly enrolled - HB 251, HB 318, HB 325, HB 334, HB 412, HB 466, HB 489, HB 544, HB 581, HB 611, HB 738, HB 763.

Examined by the Sponsor and found to be correct - HB 251, HB 318, HB 325, HB 334, HB 412, HB 466, HB 489, HB 544, HB 581, HB 611, HB 738, HB 763.

Will be signed by the Speaker on adjournment, 3/19/79 - HB 251, HB 318, HB 325, HB 334, HB 412, HB 466, HB 489, HB 544, HB 581, HB 611, HB 738, HB 763.

Do Pass

APPROPRIATIONS (Bardanouve, Chairman): 3/19/79

HB 811, do pass. Report adopted.

Respectfully report that Standing Committee Report on SB 2, dated March 12, 1979, be amended as follows:

1. Amendments 1 through 48.
Strike: amendments 1 through 48 in their entirety

Further respectfully report that Senate Bill No. 2, third reading copy, second printing, be amended as follows:

2. Page 4, line 24.
Strike: "$12,962"
Insert: "$13,202"

3. Page 5, line 2.
Strike: "$12,962"
Insert: "$13,202"

4. Page 5, line 3.
Strike: "$541.70"
Insert: "$551.70"

5. Page 5, line 6.
Strike: "$17,838"
Insert: "$18,168"

6. Page 5, line 7.
Strike: "$541.70"
Insert: "$551.70"

7. Page 5, line 12.
Strike: "$28,479"
Insert: "$29,006"

8. Page 5, line 12.
Strike: "$339.30"
Insert: "$345.50"

9. Page 5, line 20.
Strike: "$1,259"
Insert: "$1,282"

10. Page 5, line 21.
Strike: "$1.22"
Insert: "$1.25"

11. Page 5, line 24.
Strike: "$1,185"
Insert: "$1,207"

12. Page 6, line 4.
Strike: "$961.80"
Insert: "$979.60"

13. Page 6, line 19.
Strike: "$73,842"
Insert: "$75,210"

14. Page 6, line 21.
Strike: "$3,077"
Insert: "$3,134"

15. Page 6, line 22.
Strike: "$16.78"
Insert: "$17.09"

16. Page 7, line 1.
Strike: "$2,808"
Insert: "$2,860"

17. Page 7, line 2.
Strike: "$16.78"
Insert: "$17.09"

18. Page 7, line 5.
Strike: "$1,801"
Insert: "$1,835"

19. Page 7, line 6.
Strike: "$2.81"
Insert: "$2.86"

20. Page 7, line 10.
Strike: "$1,521"
Insert: "$1,549"

21. Page 7, line 11.
Strike: "$1.54"
Insert: "$1.57"

22. Page 7, line 14.
Strike: "$1,366"
Insert: "$1,392"

23. Page 7, line 18.
Strike: "$1,281"
Insert: "$1,305"

And as amended, be concurred in. Report adopted.

LOCAL GOVERNMENT (H. Robbins, Chairman): 3/15/79
HJR 54, introduced bill, be amended as follows:

1. Page 2, lines 3 through 5.
Strike: lines 3 through 5 in their entirety

2. Page 2, line 8.
Strike: "contraditory"
Insert: "contradictory"

And as amended, do pass. Report adopted.

SB 229, be concurred in. Report adopted. 3/17/79
SB 263, third reading copy, be amended as follows: 3/15/79

1. Page 1, line 11.
Following: "district."
Strike: "(1)"

2. Page 1, lines 23 through 25 and line 1, page 2.
Strike: subsection 2 in its entirety

And as amended, be concurred in. Report adopted.

SB 356, third reading copy, be amended as follows:

1. Page 2, line 3.
Following: "county"
Insert: ", except as provided for in subsection (5)"

And as amended, be concurred in. Report adopted.

SB 412, third reading copy, be amended as follows:

1. Title, lines 5 and 6.
Following: "FOR"
Strike: "RESUBDIVISION OF SUBDIVISIONS APPROVED AND FILED BEFORE JULY 1, 1973"
Insert: "ANY DIVISION WHICH CREATES ONE ADDITIONAL RESIDENTIAL LOT WITHIN A PLATTED SUBDIVISION"

2. Page 2, lines 12 through 14.
Strike: lines 12 through 14 in their entirety
Insert: "division which creates one additional residential lot within a platted subdivision."

And as amended, be concurred in. Report adopted.

SB 462, third reading copy, be amended as follows:

1. Page 1, line 15.
Following: "district ~~or~~"
Strike: "and"
Insert: "or"

And as amended, be concurred in. Report adopted.

NATURAL RESOURCES (Shelden, Chairman): 3/19/79
HJR 51, do pass. Report adopted.
SB 323, third reading copy, be amended as follows:

1. Title, line 6.
Strike: "NATURAL"
Strike: "OR CRUDE OIL"

2. Page 3, lines 7 through 10.
Following: "(a)"
Strike: remainder of line 7 through "GAS," on line 10

3. Page 3, line 16.
Following: "~~are~~"
Insert: ", except for oil and gas refineries,"

4. Page 3, line 22.
Following: "gas"
Insert: "made from coal"

5. Page 4, line 15.
Following: "gas"
Insert: "made from coal"

And as amended, be concurred in. Report adopted.

Adverse Committee Reports

LOCAL GOVERNMENT (H. Robbins, Chairman): 3/15/79
SB 44, third reading copy, be amended as follows:

1. Title, line 8.
Strike: "76-16-2324"
Insert: "7-16-2324"

2. Page 1, line 21.
Strike: "not to exceed $250,"

And as amended, be not concurred in.

NATURAL RESOURCES (Shelden, Chairman): 3/19/79
SB 320, be not concurred in.
SB 368, be not concurred in.
SB 506, be not concurred in.

Consent Calendar

Bill unanimously passed in committee and unanimously placed on Consent Calendar:

LOCAL GOVERNMENT (H. Robbins, Chairman): 3/16/79
HJR 57, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

Senate Bill passed as amended and transmitted to the House for concurrence: 3/17/79

Senate Bill No. 184, introduced by Mathers, et al

House Bills concurred in and returned to the House: 3/17/79

House Bill No. 20, introduced by Dozier

House Bill No. 219, introduced by Seifert, Goodover, Kessler, Jensen, Keedy, et al

House Bill No. 241, introduced by Menahan, Harrington, et al

House Bill No. 399, introduced by Harper, Teague, Harrington

House Bill No. 421, introduced by Underdal

House Bill No. 439, introduced by H. Robbins, Oberg, Reichert, Gilligan

House Bill No. 458, introduced by Keyser, Sivertsen, Ramirez, et al

House Bill No. 558, introduced by Bardanouve

House Bill No. 645, introduced by Fabrega

House Bill No. 684, introduced by Hand, Keyser, Johnston, et al

House Bills and House Joint Resolution concurred in as amended and returned to the House for concurrence in Senate Amendments: 3/17/79

House Bill No. 196, introduced by Ellis, Gerke, Gould, Manuel

House Bill No. 248, introduced by Menahan

House Bill No. 487, introduced by Bengtson, Towe

House Joint Resolution No. 43, introduced by Roth, Ernst, Schultz, Feda, Sales, et al

House Bill not concurred in and returned to the House: 3/17/79

House Bill No. 674, introduced by Day, H. Robbins, Wood, et al

House Bill indefinitely postponed and returned to the House: 3/17/79

House Bill No. 141, introduced by Nordtvedt

The Senate on 3/17/79, acceded to the request for the return of Senate Bill No. 261, introduced by Turnage, et al, and is returning the said bill to the House for further consideration.

House Amendments to Senate Bill concurred in: 3/17/79

House Amendments to Senate Bill No. 500, introduced by Etchart, Dover, Graham

The Senate on 3/16/79, failed to concur in House Amendments to Senate Bill No. 390 and appointed a Conference Committee and requested the House to appoint a like committee to confer on House Amendments to Senate Bill No. 390.

The President appointed the following members:

Senator Lockrem, Chairman
Senator Himsl
Senator Jergeson

The Senate on 3/15/79, failed to concur in House Amendments to Senate Bill No. 489 and appointed a Conference Committee and requested the House to appoint a like committee to confer on House Amendments to Senate Bill No. 489.

The President appointed the following members:

Senator Rasmussen, Chairman
Senator Fasbender
Senator Bob Brown

COMMUNICATIONS AND PETITIONS

Representative Nordtvedt thanked the House members for the flowers sent to his mother's funeral.

MOTIONS

Ramirez moved that HB 11 be taken out of the Committee on Taxation and placed on Second Reading today, the Sixty-third Legislative Day. After a lengthy explanation and discussion, the motion failed. (45-54)

Rosenthal present at this time.

Fagg excused at this time.

Ramirez moved that HB 256 be taken out of the Committee on Taxation and placed on Second Reading today, the Sixty-third Legislative Day. After discussion, the motion failed. (45-54)

Marks moved that SB 273 be taken off Third Reading and placed on Second Reading this day for the purpose of amendment. Motion carried.

Scully moved that SB 228 be recalled from the Senate for further consideration. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 915, (introduced by Taxation Committee). Referred to Committee on Taxation.

HJR 58, introduced by Dussault, Scully, Quilici, Gerke, Oberg, Hand, Rosenthal, Kemmis, Vincent. Referred to Committee on Education and Cultural Resources.

The following Senate bill was introduced, read first time and referred to committee:

SB 184, introduced by Mathers, Turnage, Watt, Goodover, Towe, (By Request of the Revenue Oversight Committee). Referred to Committee on Taxation.

MOTIONS

Dussault moved that all Senate Amendments to House Bills on Second Reading this day be passed for the day. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 34 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden,

Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Nordtvedt, Sales, Smith.
Total 3

Excused: Fagg.
Total 1

Absent or not voting: Bardanouve, Bengtson, Day, Hand, Harrington.
Total 5

Senate Bill No. 260 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Eudaily, Seifert, Smith, Staigmiller, Wood.
Total 5

Excused: Fagg.
Total 1

Absent or not voting: Bardanouve, Day, Hand, Hurwitz.
Total 4

Senate Bill No. 355 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Roth, Schultz, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 80

Noes: Azzara, Bennett, Brand, Ellison, Hurwitz, Nathe, Nordtvedt, K. Robbins, Rosenthal, Sales, Smith, Stobie, Vinger.
Total 13

Excused: Fagg.
Total 1

Absent or not voting: Bardanouve, Day, Feda, Hand, Scully, Seifert.
Total 6

Senate Bill No. 394 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Fagg.
Total 1

Absent or not voting: Bardanouve, Day, Marks.
Total 3

Senate Bill No. 426 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: Brand, Hurwitz, Jensen, Lund, Nathe, Roth, Smith, Staigmiller, Stobie, Vinger.
Total 10

Excused: Fagg.
Total 1

Absent or not voting: Day.
Total 1

Senate Bill No. 454 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker,

Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Fagg.
Total 1

Absent or not voting: Day, Manuel, South.
Total 3

Senate Bill No. 461 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: Keyser, Smith.
Total 2

Excused: Fagg.
Total 1

Absent or not voting: Day.
Total 1

Senate Joint Resolution No. 28 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ernst, Eudaily, Fabrega, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Huennekens, Hurwitz, Johnson, Johnston, Kanduch, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Shelden, Sivertsen, South, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 85

Noes: Ellison, Feda, Hirsch, Iverson, Jensen, Keyser, Sales, Seifert, Smith, Spilker, Thoft.
Total 11

Excused: Fagg.
Total 1

Absent or not voting: Day, Ellis, Keedy.
Total 3

House Bill No. 547 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Dozier, Dussault, Ellis, Ellison, Eudaily, Fabrega, Feda, Frates, Gesek, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Sáles, Scully, Shelden, Sivertsen, South, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 82

Noes: Bennett, Donaldson, Ellerd, Ernst, Gilligan, Hayne, Kropp, Moore, Rosenthal, Roth, Schultz, Smith, Spilker, Stobie, Wyrick.
Total 15

Excused: Fagg.
Total 1

Absent or not voting: Day, Seifert.
Total 2

House Bill No. 900 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: Hayne.
Total 1

Excused: Fagg.
Total 1

Absent or not voting: Day.
Total 1

House Joint Resolution No. 53 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.

Total 97

Noes: Menahan.
Total 1

Excused: Fagg.
Total 1

Absent or not voting: Day.
Total 1

Senate Amendments to House Bill No. 21 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Fagg.
Total 1

Absent or not voting: Day, Eudaily, Sivertsen, Stobie.
Total 4

Senate Amendments to House Bill No. 235 were concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Frates, Gesek, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, O'Connell, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 81

Noes: Brand, Dussault, Feda, Gilligan, Johnston, Keyser, Moore, Oberg, Pavlovich, H. Robbins, Smith, Thoft, Tropila, Vinger.
Total 14

Excused: Fagg.
Total 1

Absent or not voting: Azzara, Day, Huennekens, Stobie.
Total 4

Senate Amendments to House Bill No. 349 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Fagg.
Total 1

Absent or not voting: Day, Huennekens, Stobie.
Total 3

Senate Amendments to House Bill No. 377 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: Keedy.
Total 1

Excused: Fagg.
Total 1

Absent or not voting: Day, Huennekens, Stobie.
Total 3

Senate Amendments to House Bill No. 619 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer,

Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Fagg.
Total 1

Absent or not voting: Day, Ernst, Huennekens, Johnston, Stobie.
Total 5

Senate Amendments to House Bill No. 642 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Bennett, Conroy, Feda, Lory, Marks, Smith, Vinger.
Total 7

Excused: Fagg.
Total 1

Absent or not voting: Day, Huennekens, Stobie.
Total 3

Senate Amendments to House Bill No. 815 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Brand, Manning.
Total 2

Excused: Fagg.

Total 1

Absent or not voting: Bardanouve, Day, Frates, Huennekens, Stobie.
Total 5

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Tropila in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 224 be concurred in. (53-38)

That HJR 52 do pass. (77-13)

That SB 273, reference bill, second printing, be amended as follows: (84-0)

1. Page 2, line 2.
Strike: "county superintendent"
Insert: "trustees"

2. Page 2, lines 12 and 13.
Strike: "county superintendent"
Insert: "trustees"

3. Page 2, line 17.
Strike: "county superintendent"
Insert: "trustees"

4. Page 2, line 19.
Strike: "county superintendent"
Insert: "trustees"

5. Page 3, line 6.
Strike: "county superintendent"
Insert: "trustees"

6. Page 3, line 7.
Strike: "county superintendent"
Insert: "trustees"
Following: "for"
Strike: "his"
Insert: "their"

And as amended, be concurred in. (85-1)

That the Committee rise and report. (Tropila, Chairman). Report adopted. (81-7)

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 3/19/79
Correctly engrossed - HB 639.

Will be signed by the Speaker on adjournment, 3/19/79 - SB 64, SB 278, SB 314, SB 337, SB 340, SB 341, SB 342, SB 376, SB 496.

Signed by the Speaker on adjournment, 3/17/79 - SB 9, SB 10, SB 152, SB 153, SB 251, SB 293, SB 296, SB 307, SB 336, SB 339, SB 350, SB 396, SB 407, SJR 19.

Do Pass

JUDICIARY (Scully, Chairman): 3/16/79

SB 54, be concurred in. Report adopted.

SB 88, third reading copy, be amended as follows:

1. Page 3, line 7.
Following: "~~have~~"
Strike: "HAS"
Insert: "have"

2. Page 4, line 5.
Strike: "in the future"

3. Page 4, line 19.
Strike: "HEREOF"

And as amended, be concurred in. Report adopted.

SB 106, third reading copy, be amended as follows:

1. Page 1, line 14.
Following: "MORE THAN"
Strike: "$19,500"
Insert: "$22,500"

2. Page 2, line 8.
Strike: "15-18-501 THROUGH 15-18-503"
Insert: "2-18-501 through 2-18-503"

And as amended, be concurred in. Report adopted.

SB 243, be concurred in. Report adopted.

SB 250, third reading copy, be amended as follows:

1. Title, lines 4 through 9.
Following: "TO PROVIDE"
Strike: remainder of line 4 through line 9 in their entirety
Insert: "THAT A NOTICE OF BUYER'S INTEREST IN REAL PROPERTY MAY BE RECORDED WITH THE COUNTY CLERK AND RECORDER; AMENDING SECTIONS 7-4-2613 AND 7-4-2619, MCA."

2. Page 1, line 12 through line 2, page 3.
Following: "Section 1."
Strike: remainder of line 12 through line 2, page 3 in their entirety
Insert: "SECTION 7-4-2613, MCA, IS AMENDED TO READ:

'7-4-2613. Documents subject to recording. The county clerk must, upon payment of his fees for the same, record, photograph, or correctly copy, separately, in large and well-bound or to be bound separate books, either in a fair hand or by printing, typewriting, or photographic process or by the use of prepared blank forms:

(1) deeds, grants, transfers, certified copies of final judgments or decrees partitioning or affecting the title or possession of real property any part of which is situated in the county, contracts to sell or convey real estate and mortgages of real estate, releases of mortgages, powers of attorney to convey real estate, leases which have

been acknowledged or proved, and abstracts of such instruments which have been acknowledged or proved;

(2) notices of buyer's interest in real property, notwithstanding any other requirement of law or rule relating to eligibility for recording of the deed, contract for deed, or other document relating to the notice of buyer's interest;

~~(2)~~ (3) certificates of births and deaths;

~~(3)~~ (4) wills devising real estate admitted to probate;

~~(4)~~ (5) official bonds;

~~(5)~~ (6) transcripts of judgments which by law are made liens upon real estate;

~~(6)~~ (7) instruments describing or relating to the individual property of married persons and sole trader judgments;

~~(7)~~ (8) all orders and decrees made by the district court in probate matters affecting real estate and which are required to be recorded;

~~(8)~~ (9) notice of preemption claims;

~~(9)~~ (10) notice and declaration of water rights;

~~(10)~~ (11) assignments for the benefit of creditors;

~~(11)~~ (12) affidavits of annual work done on mining claims;

~~(12)~~ (13) notices of mining locations and declaratory statements;

~~(13)~~ (14) estrays and lost property;

~~(14)~~ (15) a book containing appraisement of state lands;

~~(15)~~ (16) such other writings as are required or permitted by law to be recorded.'"

3. Page 3, line 7.
Following: "estate"
Insert: "and notices of buyer's interest in real property"

4. Page 3, line 10.
Following: "transfers,"
Strike: "or"
Following: "contracts"
Insert: ", or notices"

5. Page 3, line 12.
Following: "deeds"
Insert: "and notices of buyer's interest in real property"

6. Page 3, line 15.
Following: "transfers,"
Strike: "or"
Following: "contracts"
Insert: ", or notices"

7. Page 8, lines 6 through 8.
Strike: subsection (30) in its entirety
Renumber: subsequent subsection

8. Page 8, line 11 through line 5, page 12.

Strike: line 11, page 8 through line 5, page 12 in their entirety

And as amended, be concurred in. Report adopted.

SB 271, third reading copy, be amended as follows: 3/17/79

1. Page 10, lines 22 and 23.
Strike: "in addition to any other records"

And as amended, be concurred in. Report adopted.

SB 284, third reading copy, be amended as follows: 3/16/79

1. Page 1, line 10.
Following: line 9
Insert: "(1)"

2. Page 4, line 16.
Following: line 15
Insert: "(2) The report shall include the following information:

(a) the name of the insurance company;

(b) the kinds of insurance that the company writes and the states in which the company issues policies providing insurance against product liability losses;

(c) the amount of product liability insurance premiums collected for the year, indicating the amount of premiums allocable to Montana and the total nationwide amount, on:

(i) policies insuring only against product liability losses;

(ii) policies that include insurance against product liability losses among other losses if the premiums are divisible and identifiable; and

(iii) policies for excess coverage on product liability losses;

(d) the amount of product liability insurance premiums not shown under subsection (2)(c)(ii) for insurance that includes coverage for product liability if the premiums are not divisible but are, for experience purposes, separately allocable for Montana and nationwide;

(e) information for product liability insurance experience separately allocated to Montana and nationwide showing the:

(i) total amount of earned premiums;

(ii) total amount of incurred losses, including all loss adjustment expense;

(iii) amount of incurred losses including all loss adjustment expense represented by reserves other than incurred but not reported reserves; and

(iv) amount of reserves represented by incurred but not reported reserves, together with the formula used to develop such incurred but not reported reserves and the allocation thereof to each state; and

(f) for any claim, loss, or action for bodily injury, death, or property damage allocated to Montana experience if there has been a final judgment or a settlement in any amount or if there has been a final disposition not resulting in a loss payment on behalf of the insured:

(i) each claim file number and county in which filed, if any;

(ii) a description of the type of product involved in each claim;

(iii) the rating classification code for the product involved in each claim;

(iv) the date of occurrence from which each claim arose;

(v) the state or other jurisdiction wherein each claim was adjudicated, settled, or other disposition made;

(vi) the date legal action commenced, if filed;

(vii) the date and amount of final judgment or settlement, if any, and the number of plaintiffs or claimants involved in the disposition of the judgment or settlement, together with the amount received by each such party;

(viii) the date and basis for final disposition of each claim if there was no final judgment or settlement;

(ix) a brief description of the occurrence out of which the claim arose;

(x) the total number of all claims;

(xi) the total number of all claims closed without payments;

(xii) the total number of claims closed with payments as a result of final judgment and the total amount paid thereon;

(xiii) the total number of claims closed with payment based on a settlement prior to final judgment and the total amount paid thereon;

(xiv) the total number of suits filed;

(xv) the total number of final verdicts or final judgments for defendants;

(xvi) the total number of final verdicts or final judgments for plaintiffs; and

(xvii) such other information as the department may require."

And as amended, be concurred in. Report adopted.

SB 291, third reading copy, be amended as follows: 3/6/79

1. Page 4, lines 5 and 6.
Strike: "and justice of the peace"

2. Page 4, line 7.
Following: "~~(2)~~"
Strike: "The"
Insert: "Except for the justice of the peace, the"

3. Page 5, line 7.
Following: "the"
Strike: "40th"
Insert: "50th"

4. Page 5, line 11.
Following: line 10
Insert: "(5) Vacancies occurring in the office of justice of the peace shall be filled as provided in Title 3, chapter 10, part 2."

And as amended, be concurred in. Report adopted.

SB 301, third reading copy, be amended as follows: 3/17/79

1. Title, line 8.
Strike: "41-3-105,"

2. Title, line 9.
Following: "41-3-302,"
Insert: "41-3-404,"

3. Page 3, lines 16 through 23.
Following: "welfare."
Strike: remainder of line 16 through line 23 in their entirety

4. Page 5, line 6.
Following: "(c)"
Insert: "causes failure to thrive or otherwise"
Following: "food"
Strike: ","
Insert: "or fails to supply"

5. Page 7, line 19 through line 6, page 8.
Strike: section 4 in its entirety
Renumber: subsequent sections

6. Page 14, line 23.
Following: line 22
Strike: line 23 in its entirety
Insert: "granted in Title 26, chapter 1, part 8, except the attorney-client privilege granted by 26-1-803."

7. Page 20, line 12.
Following: line 11
Insert: "SECTION 19. SECTION 41-3-404, MCA, IS AMENDED TO READ:

'41-3-404. Hearing. (1) In a hearing on a petition under 41-3-401 or 41-3-402, the court shall determine whether said youth is ~~an abused, neglected, or dependent child~~ a youth in need of care and ascertain, as far as possible, the cause ~~thereof~~.

(2) The court shall hear evidence regarding the residence of the child, whereabouts of the parents, guardian, or nearest adult relative, the financial ability of ~~any such~~ the parents or parent to pay the cost of care of the child, whether or how long the child has been maintained in whole or in part by public or private charity, and may take into consideration the report of the county welfare department filed with the clerk of the court, pursuant to 41-3-405.

(3) In all civil and criminal proceedings relating to abuse, neglect, or dependency, ~~the doctor-patient privilege and husband-wife privilege shall not~~ none of the privileges granted in Title 26, chapter 1, part 8, except the attorney-client privilege granted by 26-1-803, apply ~~to the extent any testimony relates to such matters~~.'"

And as amended, be concurred in. Report adopted.

SB 374, third reading copy, be amended as follows: 3/16/79

1. Page 1, line 17.
Following: "modification"
Strike: "and either:"

Insert: "."

2. Page 1, line 18.
Following: line 17
Insert: "(2) (a) Whenever the decree proposed for modification does not contain provisions relating to maintenance or support, modification under subsection (1) may only be made within 2 years of the date of the decree.

(b) Whenever the decree proposed for modification contains provisions relating to maintenance or support, modification under subsection (1) may only be made:"

3. Page 1, line 18.
Following: line 17
Strike: "(a)"
Insert: "(i)"

4. Page 1, line 21.
Following: line 20
Strike: "(b)"
Insert: "(ii)"

5. Page 1, lines 22 through 25.
Strike: lines 22 through 25 in their entirety

And as amended, be concurred in. Report adopted.

SB 380, be concurred in. Report adopted.
SB 395, be concurred in. Report adopted. 3/17/79
SB 404, be concurred in. Report adopted.
SB 431, third reading copy, be amended as follows: 3/16/79

1. Page 2, line 1.
Following: "(3)"
Strike: "No"
Insert: "Whenever notice is required, no"

2. Page 2, line 3.
Strike: "the"

3. Page 2, line 4.
Strike: "referred to in subsection (1)"

And as amended, be concurred in. Report adopted.

SB 468, third reading copy, be amended as follows:

1. Page 3, line 3.
Following: "sessions"
Insert: ". Whenever the office of city judge is held by a justice of the peace, the costs imposed by this subsection are the joint responsibility of the county and the municipality, with the costs to be allocated and charged in proportion to the work done for each governmental entity. In all other cases, the costs shall be paid"

2. Page 4, line 4.
Following: "City"
Strike: "or town"

3. Page 4, line 5.
Following: "city"
Strike: "or town"

And as amended, be concurred in. Report adopted.

SB 481, third reading copy, be amended as follows: 3/17/79

1. Page 9.
Following: line 12
Insert: "Section 16. Transition. A judicial officer, as defined in 1-1-202, who is occupying his judicial office on the effective date of this act shall continue to be paid expenses on the same basis as he is receiving them on the effective date of this act until the expiration of his term of office. All judicial officers who take office or begin a new term of office after the effective date of this act shall receive expenses as provided in this act."
Renumber: subsequent sections

And as amended, be concurred in. Report adopted.

SB 482, third reading copy, be amended as follows: 3/16/79

1. Page 1, line 24.
Following: "THAN"
Strike: "1 KILOGRAM"
Insert: "250 grams"

2. Page 3, line 8.
Following: "THAN"
Strike: "1 KILOGRAM"
Insert: "250 grams"

And as amended, be concurred in. Report adopted.

SB 491, be concurred in. Report adopted.
SB 516, be concurred in. Report adopted. 3/17/79
SB 519, third reading copy, be amended as follows:

1. Page 1, line 17.
Following: "DAY"
Strike: "ONLY"
Following: "."
Insert: "Failure to remove billboards, yard signs, or posters on election day is not considered a violation."

2. Page 1, line 24.
Following: "character"
Strike: ","
Insert: "or"

3. Page 1, line 25 through line 1, page 2.
Following: "morality"
Strike: ", or integrity or which tends to injure or defeat him at the polls"

And as amended, be concurred in. Report adopted.

SJR 27, be concurred in. Report adopted.

TAXATION (Huennekens, Chairman): 3/17/79
HB 397, do pass. Report adopted.
HB 461, introduced bill, be amended as follows:

1. Page 8, line 22.
Following: "chapter"
Strike: "or who, with like intent, makes, renders, signs, or verifies any false or fraudulent return or statement or supplies any false or fraudulent information"

2. Page 10, line 7.
Following: "15-30-321"
Strike: remainder of lines 7 through 12 in their entirety
Insert: "must be commenced within 5 years after the offense is committed."

And as amended, do pass. Report adopted.

HB 471, introduced bill, be amended as follows:

1. Page 1, line 24.
Following: "are"
Strike: "at all times during the business hours of the day"

2. Page 1, line 25 through line 8 on page 2.
Following: "department"
Strike: the remainder of line 25 through line 8 on page 2
Insert: "upon reasonable notice during normal business hours."

3. Page 2, line 20.
Following: "if"
Strike: "there is no subsequent tax liability"
Insert: "requested by the taxpayer"

And as amended, do pass. Report adopted.

HB 669, introduced bill, be amended as follows:

1. Title, line 4.
Following: "TO"
Insert: "THE CREATION AND"

2. Title, line 5.
Following: "METHODS OF"
Insert: "CREATING URBAN RENEWAL PLANS AND"

3. Title, line 6.
Following: "SECTIONS"
Insert: "7-15-4216, 7-15-4217, 7-15-4221,"

4. Title, line 9.
Following: "MCA"
Insert: "; AND PROVIDING AN EFFECTIVE DATE"

5. Page 1.
Following: line 11
Insert: "SECTION 1. SECTION 7-15-4216 IS AMENDED TO READ:

'7-15-4216. Requirements for approval of urban renewal plans and projects. (1) The local governing body shall not approve an urban renewal plan until a comprehensive plan or parts of such plan for an area which would include an urban renewal area for the municipality have been prepared.

(2) A municipality shall not approve an urban renewal project for an urban renewal area unless the local governing body has by resolution determined such area to be a blighted area and designated such area as appropriate for an urban renewal project.

(3) An urban renewal plan may be approved by resolution.

(4) All urban renewal plans approved by resolution prior to [the effective date of this act] are hereby validated.'

SECTION 2. SECTION 7-15-4217 IS AMENDED TO READ:

'7-15-4217. Criteria for approval of urban renewal project. Following the hearing by 7-15-4214, the local governing body may, by resolution, approve an urban renewal project if it finds that:

(1) a workable and feasible plan exists for making available adequate housing for the persons who may be displaced by the project;

(2) the urban renewal plan conforms to the comprehensive plan or parts thereof for the municipality as a whole;

(3) the urban renewal plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise; and

(4) a sound and adequate financial program exists for the financing of said project.'

SECTION 3. SECTION 7-15-4221 IS AMENDED TO READ:

'7-15-4221. Modification of urban renewal project plan. (1) An urban renewal project plan may be modified at any time by the local governing body. If modified after the lease or sale by the municipality of real property in the urban renewal project area, such modification shall be subject to such rights at law or in equity as a lessee or purchaser or successors in interest may be entitled to assert.

(2) An urban renewal plan may be modified by resolution.

(3) All urban renewal plans approved by resolution prior to [the effective date of this act] are hereby validated.

(4) A plan may be modified by:

(a) the procedure set forth in subsections 7-15-4212 through 7-15-4219 with respect to adoption of an urban renewal plan.

(b) the procedure set forth in the plan.'"

6. Renumber: subsequent sections

7. Page 8.
Following: line 21
Insert: "Section 11. Effective date. This act is effective on passage and approval."

And as amended, do pass. Report adopted.

HJR 44, introduced bill, be amended as follows:

1. Page 2, line 7.
Following: "under"
Insert: "27 CFR 6.27 and"

2. Page 3, line 1.
Following: line 25 on page 2
Strike: lines 1 through 12 in their entirety
Insert: "contain provisions:

(a) to limit a vendor to use as samples not more than 24 cases of liquor during any calendar year: this allotment includes all brands of liquor manufactured, produced, or sold by the vendor; and

(b) requiring that any samples distributed to any licensee be reported to the Department of Revenue Liquor Division on a monthly basis."

And as amended, do pass. Report adopted.

SB 200, be concurred in. Report adopted.

Adverse Committee Reports

JUDICIARY (Scully, Chairman): 3/6/79

SB 232, be not concurred in.

SB 283, third reading copy, be amended as follows: 3/16/79

1. Title, line 7.
Strike: "AND PROVIDING A STATUTE OF LIMITATIONS"

2. Page 7, lines 10 through 18.
Strike: section 1 in its entirety
Insert: "Section 1. Indemnification of seller — tender of defense. When, in any product liability action, the manufacturer refuses to accept a tender of defense from the seller, the manufacturer shall indemnify the seller for any judgment rendered against the seller and shall also reimburse the seller for reasonable attorneys' fees and costs incurred by the seller in defending such action, unless either of the following apply:

(1) The seller had knowledge of the defect in the product.

(2) The seller altered, modified, or installed the product, and such alteration, modification, or installation:

(a) was a substantial cause of the incident giving rise to the suit; and

(b) was not authorized or requested by the manufacturer or was not performed in compliance with the directions or specifications of the manufacturer.

Section 2. Duty of prevailing plaintiff when seller granted indemnity. (1) If a judgment is rendered in favor of the plaintiff and a seller is granted indemnity against a manufacturer, the plaintiff shall first attempt to satisfy the judgment by levying execution upon the manufacturer in this state or in the state where the manufacturer's principal place of business is located and by making demand upon any liability insurance carrier of the manufacturer whose identity is known to plaintiff before attempting to collect the judgment from the seller or the seller's liability insurance carrier.

(2) The return of a writ of execution partially or wholly unsatisfied or the failure of the manufacturer's insurance carrier to pay the judgment upon demand constitutes full compliance with the plaintiff's obligation to attempt to collect from the manufacturer."

And as amended, be not concurred in.

SB 348, third reading copy, be amended as follows:

1. Page 1, line 13.
Following: "but"
Strike: "may"
Insert: "need"

And as amended, be not concurred in.

TAXATION (Huennekens, Chairman): 3/17/79
HB 372, introduced bill, be amended as follows:

1. Title, line 6.
Following: "15-7-207,"
Strike: "15-7-208,"

2. Title, line 7.
Following: "15-7-211,"
Strike: "15-7-214,"

3. Page 1, line 21.
Following: "15-7-207,"
Strike: "15-7-208,"

4. Page 1, line 21.
Following: "15-7-211,"
Strike: "15-7-214"

And as amended, do not pass.

On motion by Huennekens, the Adverse Committee Report on HB 651 was adopted by the following vote: (59-32)

Ayes: Anderson, Baeth, Bertelsen, Burnett, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dussault, Ernst, Eudaily, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hirsch, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Menahan, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Quilici, H. Robbins, K. Robbins, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Stobie, Thoft, Williams, Wood, Wyrick, Mr. Speaker.
Total 59

Noes: Azzara, Bengtson, Bennett, Brand, Dozier, Ellerd, Ellison, Fabrega, Harper, Hemstad, Holmes, Keedy, Kemmis, Kessler, McBride, Marks, Metcalf, Meyer, Oberg, Porter, Reichert, Rosenthal, Sales, Spilker, Staigmiller, Teague, Tropila, Underdal, Vincent, Vinger, Waldron, Yardley.
Total 32

Excused: Fagg.
Total 1

Absent or not voting: Bardanouve, Conroy, Day, Ellis, Feda, Hurwitz, Ramirez, Uhde.
Total 8

On motion by Huennekens, the Adverse Committee Report on HB 765 was adopted by the following vote: (64-25)

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Brand, Cooney, Daily, Dassinger, Donaldson, Dussault, Fabrega, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Huennekens, Iverson, Jensen, Kanduch, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, H. Robbins, K. Robbins, Rosenthal, Roth, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Thoft, Uhde, Vincent, Williams, Wood, Yardley, Mr. Speaker.
Total 64

Noes: Burnett, Curtiss, Dozier, Ellerd, Ellison, Ernst, Feda, Gesek, Hayne, Holmes, Johnson, Johnston, Keedy, Kropp, Manuel, Reichert,

Sales, Schultz, Stobie, Teague, Tropila, Underdal, Vinger, Waldron, Wyrick.
Total 25

Excused: Fagg.
Total 1

Absent or not voting: Azzara, Bardanouve, Conroy, Day, Ellis, Eudaily, Hurwitz, Oberg, Ramirez, Smith.
Total 10

On motion by Scully, the Adverse Committee Report on SB 386 was adopted by the following vote: (74-16)

Ayes: Anderson, Bennett, Bertelsen, Daily, Donaldson, Dozier, Dussault, Ellerd, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Johnson, Kanduch, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 74

Noes: Azzara, Baeth, Brand, Burnett, Cooney, Curtiss, Dassinger, Holmes, Iverson, Johnston, Kessler, McBride, Metcalf, Oberg, Pistoria, Teague.
Total 16

Excused: Fagg.
Total 1

Absent or not voting: Bardanouve, Bengtson, Conroy, Day, Ellis, Ellison, Jensen, Keedy, Ramirez.
Total 9

UNFINISHED BUSINESS

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to HB 606:

Gerke, Chairman
Ellis
Waldron

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to HB 603:

Harper, Chairman
Sivertsen
Pavlovich

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on HB 230:

Kemmis, Chairman
Feda
Day

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to HB 678:

Manning, Chairman
Porter
Pistoria

MOTIONS

Dussault moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on House Amendments to SB 390. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on House Amendments to SB 489. Motion carried.

REPORTS OF STANDING COMMITTEES

Adverse Committee Reports

Gould, Donaldson, Shelden, Lory, Pavlovich, Feda, Stobie, Vinger, Eudaily, Ellis objected that SB 44 was reported out of committee with a be not concurred in recommendation and requested that the bill be referred to Second Reading.

Dussault moved that the House adjourn until 1:00 p.m., March 20, 1979.

Motion carried.

House adjourned at 3:31 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

SIXTY-FOURTH LEGISLATIVE DAY

Helena, Montana
March 20, 1979

House Chambers
Capitol Building

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Ellis, Fagg, Iverson, South, Spilker, Tropila, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 3/20/79

Correctly printed - HB 397, HB 461, HB 471, HB 669, HB 811, HJR 44, HJR 51, HJR 54, HJR 57.

Considered correctly engrossed - HJR 52.

Signed by the Speaker on adjournment, 3/19/79 - SB 64, SB 278, SB 314, SB 337, SB 340, SB 341, SB 342, SB 376, SB 496, HB 251, HB 318, HB 325, HB 334, HB 412, HB 466, HB 489, HB 544, HB 581, HB 611, HB 738, HB 763.

Delivered to the Governor for his approval at 10:10 a.m., 3/20/79 - HB 251, HB 318, HB 325, HB 334, HB 412, HB 466, HB 489, HB 544, HB 581, HB 611, HB 738, HB 763.

Do Pass

JUDICIARY (Scully, Chairman): 3/19/79

SB 65, third reading copy, be amended as follows:

1. Title, page 1, line 7.
Following: "SECTIONS"
Insert: "2-15-413,"

2. Title, page 1, line 8.
Following: "7-2-4605,"
Insert: "7-3-1233, 7-3-1234, 7-3-1272 THROUGH 7-3-1280, 7-3-4224 THROUGH 7-3-4226, 7-3-4232 THROUGH 7-3-4241,"

3. Title, page 2, line 3.
Following: "85-7-1701,"
Strike: "85-7-1703"
Insert: "85-7-1704"

4. Title, page 2, line 4.
Following: "85-7-1711,"
Strike: "85-7-1713,"

5. Page 16.
Following: line 21
Insert: "(5) Costs of elections may not include the services of the election administrator or capital expenditures."
Renumber: subsequent subsections

6. Page 28, line 9.
Following: "be"
Strike: "mailed"
Insert: "returned to the administrator"

7. Page 36, line 1.
Following: line 25, page 35

Strike: "legally established to be"
Following: "mind"
Insert: "as established by a court"

8. Page 43, line 16.
Following: "photocopies"
Strike: "from"
Insert: "for"

9. Page 58, line 20.
Following: "for"
Insert: "county"

10. Page 58, line 21.
Following: "$2,500,"
Strike: "1%"
Insert: ".5%"

11. Page 59.
Following: line 2
Insert: "(3) for other offices having an annual salary of more than $2,500, 1% of the total annual salary;"
Renumber: subsequent subsections

12. Page 96, line 24.
Following: "13-35-201;"
Strike: remainder of line 24

13. Page 96, line 25.
Following: "13-35-202;"
Strike: remainder of line 25

14. Page 97, line 1.
Following: "13-35-206;"
Strike: remainder of line 1

15. Page 97, line 2.
Following: line 1
Strike: "subsections (1) and (2) of"

16. Page 97, line 3.
Strike: "subsections (1), (3), and (4) of"

17. Page 101, line 12.
Following: "elector"
Insert: "to be"

18. Page 123, lines 15 and 16.
Following: "a"
Strike: "statement of candidacy and nominating petition"
Insert: "petition for nomination containing the same information and the oath of the candidate required for a declaration of nomination"

19. Page 123, line 17.
Strike: "nominating"

20. Page 123, line 25.
Following: line 24
Strike: "nominating"
Following: "petition"
Insert: "for nomination"

21. Page 124, line 4.

Following: "(4)"
Strike: remainder of line 4
Insert: "Petitions for nomination"

22. Page 124, line 8.
Following: "declaration"
Insert: "or petition"

23. Page 128, line 11.
Following: line 10
Strike: "WISHING TO OBSERVE"
Insert: "observing"

24. Page 144, line 14.
Following: "in"
Strike: "13-15-404"
Insert: "[section 167]"

25. Page 144, line 23.
Following: line 22
Strike: "13-15-501"
Insert: "[section 168]"

26. Page 151, line 17.
Following: "The"
Insert: "county"

27. Page 154, line 1.
Following: "the"
Insert: "county"

28. Page 157, line 10.
Following: line 9
Insert: "county"

29. Page 176, line 3.
Following: "13-27-312"
Insert: "or 13-27-315"

30. Page 208, lines 5 and 6.
Following: "the"
Strike: "closing date of books for a reporting period"
Insert: "5th day before the date of filing of a report"

31. Page 217, line 6.
Strike: line 6 in its entirety
Insert: "5th day before the date of"

32. Page 322.
Following: line 24
Insert: "SECTION 375. SECTION 2-16-615, MCA, IS AMENDED TO READ:

'2-16-615. Filing of recall petitions — mandamus for refusal. (1) Recall petitions for elected officers shall be filed with the official who is provided by law to accept the declaration of nomination or petition for nomination for such office. Recall petitions for appointed ~~state, county or city or town officers shall be filed with the secretary of state, county clerk, or city or town clerk respectively~~ state officers shall be filed with the secretary of state and for appointed county or municipal officers shall be filed with the county election administrator. Recall petitions for appointed officers from

other political subdivisions shall be filed with the county ~~clerk~~ election administrator if the boundaries of the political subdivisions lie wholly within one county or otherwise with the secretary of state.

(2) If the secretary of state, county ~~clerk, city or town clerk~~ election administrator or other filing official refuses to accept and file any petition for recall with the proper number of signatures of qualified electors, any elector may within 10 days after such refusal apply to the district court for a writ of mandamus. If it is determined that the petition is sufficient, the district court shall order the petition to be filed with a certified copy of the writ attached thereto, as of the date when it was originally offered for filing. On a showing that any filed petition is not sufficient, the court may enjoin certification, printing, or recall election.

(3) All such suits or appeals therefrom shall be advanced on the court docket and heard and decided by the court as expeditiously as possible.

(4) Any aggrieved party may file an appeal within 10 days after any adverse order or decision as provided by law.'

SECTION 376. SECTION 3-6-201, MCA, IS AMENDED TO READ:

'3-6-201. Election — term of office. (1) One judge of each municipal court shall be elected at the general city election. The judge's term shall commence on the first Monday in ~~May~~ January following the election. The judge shall hold office for the term of 4 years and until his successor is elected and qualified.

(2) All elections of municipal judges are governed by the laws applicable to the election of nonpartisan city officials~~, except that the name of a candidate for municipal judge shall be placed on the ballot without any party designation or any statement, measure, or principle which the candidate advocates or any slogan after his name~~.'

SECTION 377. SECTION 3-11-201, MCA, IS AMENDED TO READ:

'3-11-201. ~~Election and term~~ Term of office. ~~(1) The election of city judges is provided for in Title 7, chapter 5, part 44.~~

~~(2)~~ In cities of the first, second, and third class, the city judge shall hold office for a term of 4 years and until the qualification of his successor.'

SECTION 378. SECTION 3-12-103, MCA, IS AMENDED TO READ:

'3-12-103. Creation of court. (1) A small claims court may be created by a resolution passed by the board of county commissioners after consultation with the district court judges of the judicial district in which such county is located or by county initiative as provided in Title 7, chapter 5, part ~~22~~ 1.

(2) Upon such order or passage of the resolution or initiative, the judge of the appropriate judicial district shall, by court order, establish a small claims court under the provisions of this chapter.

(3) When the order is filed with the clerk of the district court of the appropriate county, the clerk of the district court becomes the clerk of the small claims court.'

SECTION 379. SECTION 7-2-2316, MCA, IS AMENDED TO READ:

'7-2-2316. Form of ballot. (1) The form of the ballot used at such elections shall be as follows: there shall be a stub across the top of each ballot and separated therefrom by a perforated line. ~~The part above the perforated line, designated as the stub, shall extend the entire width of the ballot and shall have a depth of not less than 2 inches.~~

(2) Upon the face of the stub there shall be printed~~, in what is known as brevier capitals,~~ the following instructions:

"To vote this ballot the elector will write in the blank space on the ballot the name of the town or place at which he desires the permanent county seat to be located."

(3) The ballot below the perforated line shall be in the following form:

"For the permanent county seat of .... County my choice is .... (here insert name of county)."

(4) When the name of a town or place in a county shall be so inserted in the blank space on such ballot by an elector and the ballot has been cast as provided by law, the same shall be deemed a vote for the designated town or place as the location of the permanent county seat of said county.'

SECTION 380. SECTION 7-2-4107, MCA, IS AMENDED TO READ:

'7-2-4107. Officers elected at first election. (1) At such election there must be elected:

(a) in a city of the first class, a mayor, a city judge, a city attorney, a city treasurer, a city marshal, and two aldermen from each ward into which the city may be divided;

(b) in a city of the second class, a mayor, a city judge, a city treasurer, a city marshal, and two aldermen from each ward;

(c) in a town, a mayor and two aldermen from each ward.

(2) Those elected hold office until the first Monday of ~~May~~ January after the first annual election and until their successors are elected and qualified. The persons so elected must qualify in the manner prescribed by law for county officers.'

SECTION 381. SECTION 7-3-1204, MCA, IS AMENDED TO READ:

'7-3-1204. Petition for city-county consolidated government — election required. (1) The question of the abandonment and termination of the separate corporate existence and government of a county and of each and every city and town therein and the consolidation and merging of the existence and government of ~~such~~ the county and each and all of the cities and towns therein into one municipal corporation and government under the provisions of this part and part 13 shall be submitted to the ~~qualified~~ registered electors of such county if a petition is filed in the office of the ~~county clerk~~ election administrator of ~~such~~ the county, signed by at least 20% of the electors of ~~said~~ the county whose names appear on the official register

of voters of the county on the date of the filing of such petition, requesting that such question be submitted to the ~~qualified~~ registered electors of the county.

(2) Such petition shall be substantially in the form and shall be signed, verified, and filed in the manner prescribed in ~~this part~~ 7-5-132 through 7-5-137 for initiative, referendum, and recall petitions and shall designate therein the name by which such consolidated government is to be known, which must be either that of the county or of some one of the cities or towns therein.'

SECTION 382. SECTION 7-3-1205, MCA, IS AMENDED TO READ:

'7-3-1205. Certification of petition — board action. (1) If the county ~~clerk~~ election administrator shall find that such petition or amended petition so filed is signed by the required number of ~~qualified~~ registered electors, he shall so certify to the board of county commissioners of such county at their next regular meeting.

(2) Such board shall, within 10 days after receiving the ~~clerk's~~ election administrator's certificate, order a special election to be held, at which election such question shall be submitted to the ~~qualified~~ registered electors of the county. Such order shall specify the time when such election shall be held, which shall be not less than 90 or more than 120 days from and after the day when such order is made, and the board of county commissioners shall immediately upon making such order issue a proclamation setting forth the purpose for which such special election is held and the date of holding the same, which proclamation must be published ~~and posted~~ in the manner prescribed by ~~13-11-102 and 13-11-103~~ [section 6].'

SECTION 383. SECTION 7-3-1208, MCA, IS AMENDED TO READ:

'7-3-1208. Election of commission upon favorable vote. (1) If the majority of the votes cast at such election shall be in favor of such consolidation and merging, the board of county commissioners of such county must, within 2 weeks after such election returns have been canvassed, order a special election to be held for the purpose of electing the number of members of the commission to which such consolidated municipality shall be entitled. This order shall specify the time when such election shall be held, which shall be not less than 90 or more than 120 days after the day when such order is made; provided, however, that if any general election is to be held in such county after 3 months but within 6 months from the date of the making of such order, then such order shall require such special election to be held at the same time as such general election. The board of county commissioners, immediately upon making such order, shall issue a proclamation setting forth the purpose for which such special election is held and the date of holding the same, which proclamation must be published ~~and posted~~ in the manner prescribed by ~~13-11-102 and 13-11-103~~ [section 6].

(2) No primary election shall be held for the purpose of nominating candidates for members of the commission hereinafter provided for, to be voted for at such special election, but such candidates shall be nominated directly by petition which shall be in substantially the same form and be signed by the same number of signers as hereinafter required for primary nominating petitions. Such election shall

be conducted, vote returned and canvassed, and result declared in the same manner as provided by law in respect to general elections.'

SECTION 384. SECTION 7-3-1218, MCA, IS AMENDED TO READ:

'7-3-1218. Meetings of commission. (1) (a) Except as provided in subsection (1)(b), at 2 p.m. on ~~June 30~~ the first Monday of January following a regular municipal election, the commission shall meet at the courthouse in the consolidated municipality and the newly elected members shall assume the duties of office.

(b) The first meeting of such commission after the special election at which the first members of the commission are elected shall be held at 2 p.m. on the first day of the third month following such special election, and at such meeting the members of such commission shall determine by lot the members whose terms will expire on ~~June 30~~ the first Monday of January in the first year following such special election and the members whose terms will expire on ~~July 1~~ the first Monday of January in the third year following such election.

(2) Thereafter the commission shall meet at such times as may be prescribed by ordinance or resolution, but not less frequently than once in each month. Special meetings shall be called by the clerk of the commission upon written request of the president, the manager, or a majority of the members of the commission. Any such notice shall state the subject to be considered at the meeting, and no other subject shall be considered at such meeting.

(3) All meetings of the commission and of committees thereof shall be open to the public, and the rules of the commission shall provide that citizens of the municipality shall have a reasonable opportunity to be heard at any such meeting in regard to any matter considered thereat.'

SECTION 385. SECTION 7-3-1271, MCA, IS AMENDED TO READ:

'7-3-1271. General provisions related to elections. (1) For any election held on the question of the adoption of this part and part 13 and for the first election of members of the commission thereunder if adopted, the county ~~clerk~~ election administrator and board of county commissioners shall exercise the powers and perform the duties respecting elections prescribed for county ~~clerks~~ election administrators and boards of county commissioners by the general laws of the state.

(2) After the adoption of this part and part 13 by the electors of the county and the election and qualification of a commission thereunder, ~~the powers and duties of county clerks and boards of county commissioners under the general election laws of the state shall devolve upon the clerk and commission of the municipality and, except as otherwise provided in this part or part 13, the provisions of such laws shall continue to apply to all elections held within the municipality~~ elections shall be conducted as provided in Title 7 and Title 13.

~~(3) At all municipal elections the polls shall be open from 8 a.m. to 6 p.m. The time, manner, and method of establishing election precincts and polling places and appointment of judges of election~~

~~and the method of conducting election, registering voters therefor, counting the votes cast thereat, and canvassing the returns thereof shall be as prescribed by the general election laws of the state.~~'

SECTION 386. SECTION 7-3-4214, MCA, IS AMENDED TO READ:

'7-3-4214. First term of office. (1) The mayor and councilmen elected at such special election shall qualify and their terms of office shall begin on the first Monday after their election. The terms of office of the mayor and councilmen or aldermen in such city in office at the beginning of the term of office of the councilmen first elected under the provisions of this part shall then cease and determine, and the terms of office of all their appointed officers in force in such city, except as hereinafter provided, shall cease and determine as soon as the council shall by resolution declare.

(2) The terms of office of the mayor and all councilmen elected at such special election shall expire on the first Monday in ~~May~~ January of the ~~year~~ first even-numbered year following their election. At the first regular city election held in the year prior to the year in which the terms of office of the mayor and councilmen elected at such special election shall expire, a mayor and two councilmen shall be elected in cities having a population of less than 25,000. The mayor elected at such first general city election shall hold office for ~~2~~ 4 years, one of the councilmen elected at such first city election shall hold office for ~~1 year~~ 2 years, and the other of such councilmen elected at such first general city election shall hold office for ~~2~~ 4 years, beginning with the first Monday in ~~May~~ January of ~~that~~ the year following their election. A mayor and four councilmen shall be elected in cities having a population of 25,000 or more, and the mayor elected at such first general city election shall hold office for ~~2~~ 4 years. Two of the councilmen elected at such first general city election shall hold office for ~~1 year~~ 2 years, and the other two of the councilmen elected at such first general city election shall hold office for ~~2~~ 4 years, beginning with the first Monday in ~~May~~ January of ~~that~~ the year following their election.

(3) The councilmen elected at the first general city election shall decide by lot, in such manner as they may select, which thereof shall hold the office of councilman the term of which expires ~~1 year~~ 2 years thereafter and which thereof shall hold the office of councilman the term of which expires ~~2~~ 4 years thereafter.'

SECTION 387. SECTION 7-6-2344, MCA, IS AMENDED TO READ:

'7-6-2344. Limitation on amount of emergency expenditures and liabilities — election. (1) Unless the excess above the sums listed in subsections (1)(a), (1)(b), and (1)(c) shall first have been authorized by a majority of the taxpaying freeholders of such county who are registered electors therein, voting at a general or special election, the aggregate total of all expenditures made or liabilities incurred in any fiscal year to meet emergencies, other than such as are caused by fire, flood, explosion, earthquake, epidemic, riot, or insurrection, shall not exceed the sum of:

(a) $25,000 in counties of classes 1, 2, 3, and 4;

(b) $15,000 in counties of classes 5 and 6; and

(c) $7,500 in counties of class 7.

(2) The question of authorizing such excess expenditures shall be submitted in the following form, inserting in the ballot the amount of the excess proposed to be authorized and a description of the emergency to be met:

"Shall the board of county commissioners of .... County, Montana, be authorized to make additional expenditures and incur additional liabilities in the amount of $.... over and above the sum of $.... to meet an emergency caused by .....

YES

NO"

~~(3) Notice of such election shall be given by posting notice thereof at least 15 days before such election in three public places in each voting precinct within the county and by publishing such notice for not less than 10 days before the date of such election.~~

~~(4)~~(3) The total of all emergency budgets and appropriations made therein in any one year to be paid from the county poor fund shall not exceed the amount which would be produced by a mill levy equal to the difference between the mills levied in that year and the maximum mill levy authorized by law to be made for such fund, computed against the taxable value of the property subject to such levy as shown by the last completed assessment roll of the county.'

SECTION 388. SECTION 7-13-2237, MCA, IS AMENDED TO READ:

'7-13-2237. Petition of nomination required for printing of name on ballot. The name of a candidate shall be printed upon the ballot when a petition of nomination shall have been filed in his behalf in the manner and form and under the conditions set forth in 7-13-2238 through ~~7-13-2248~~ 7-13-2247.'

SECTION 389. SECTION 7-13-2245, MCA, IS AMENDED TO READ:

'7-13-2245. Withdrawal of signature from petition. (1) Any signer to a petition of nomination and certificate may withdraw his name from the same by filing with the county ~~clerk~~ election administrator a verified revocation of his signature before the filing of his petition by the ~~clerk~~ election administrator and not otherwise.

(2) He shall then be at liberty to sign a petition for another candidate for the same office.'

SECTION 390. SECTION 7-33-2106, MCA, IS AMENDED TO READ:

'7-33-2106. Details relating to board of trustees of fire district. (1) The five trustees initially appointed by the county commissioners shall hold office until their successors are elected and qualified as hereinafter provided.

~~(2) Qualifications of electors and trustees, terms of office, vacancies, and manner and date of elections shall, as far as possible, be the same as provided in the school election laws for school districts of the second class; except:~~

~~(a) that only electors who are taxpayers affected by the special fire district levies may vote at such elections and be qualified to serve as trustees; and~~

~~(b) there need be no special registration of electors.~~

(2) Trustees shall be elected as provided in 13-1-104(3). The term of office shall be 3 years beginning on the first Monday in January following their election or until their successors are elected and qualified. Appointments to fill vacancies shall be made by the county governing body and appointees shall hold office until the next regular election. Nominations for office shall be made as provided in [section 141]. All electors, as defined in Title 13, who reside in the district are eligible to vote in the election.

(3) The trustees shall organize by choosing a chairman and appointing one member to act as secretary.'

SECTION 391. SECTION 7-34-2118, MCA, IS AMENDED TO READ:

'7-34-2118. Term of office. (1) The trustees elected for the first board shall serve for terms:

(a) commencing upon their being elected and qualified; and

(b) terminating 1, 2, and 3 years, respectively, from the first Monday in ~~May~~ January following their election and until their respective successors shall be elected and qualified.

(2) Annually thereafter there may be elected a trustee to serve for a term of 3 years and until his successor shall be qualified. Such term of 3 years shall commence on the first Monday in ~~May~~ January following the said trustee's election.'

SECTION 392. SECTION 16-1-205, MCA, IS AMENDED TO READ:

'16-1-205. Local option. The electors of a county may, by approving an initiative as provided under Title 7, chapter 5, part 22, prohibit the sale and consumption of liquor or of all alcoholic beverages within the county. If such initiative is presented to the board of county commissioners, the board may not approve it but shall submit the proposal to the people under ~~7-5-2211 through 7-5-2214~~ Title 7, chapter 5, part 1.'

SECTION 393. SECTION 76-15-103, MCA, IS AMENDED TO READ:

'76-15-103. Definitions. Unless the context requires otherwise, in this chapter the following definitions apply:

(1) "Agency of this state" includes the government of this state and any subdivision, agency, or instrumentality, corporate or otherwise, of the government of this state.

(2) "Board" means the board of natural resources and conservation provided for in 2-15-3302.

(3) "Department" means the department of natural resources and conservation provided for in Title 2, chapter 15, part 33.

(4) "District" or "conservation district" means a governmental subdivision of this state and a public body corporate and politic organized in accordance with this chapter, for the purposes, with the powers, and subject to the restrictions hereinafter set forth.

(5) "Due notice" means notice published at least twice, with an interval of at least 14 days between the two publication dates, in a

newspaper or other publication of general circulation within the proposed area or by posting at a reasonable number of conspicuous places within the appropriate area, the posting to include, where possible, posting at public places where it may be customary to post notices concerning county or municipal affairs generally.

(6) "Government" or "governmental" includes the government of this state, the government of the United States, and any subdivision, agency, or instrumentality, corporate or otherwise, of either of them.

(7) "Land occupier" or "occupier of land" includes a person, firm, corporation, municipality, or other entity who holds title to or is in possession of lands lying within a district organized under this chapter, whether as owner, lessee, renter, tenant, or otherwise.

~~(8) "Nominating petition" means a petition filed under 76-15-302 to nominate candidates for the office of supervisor of a soil conservation district.~~

~~(9)~~(8) "Petition" means a petition filed under 76-15-201 for the creation of a district.

~~(10)~~(9) "Qualified elector" means ~~a qualified~~ an elector as defined in Title 13.

~~(11)~~(10) "Supervisor" means one of the members of the governing body of a district, elected or appointed in accordance with this chapter.

~~(12)~~(11) "United States" or "agencies of the United States" includes the United States of America, the soil conservation service of the United States department of agriculture, and any other agency or instrumentality, corporate or otherwise, of the United States of America.'

SECTION 394. SECTION 76-15-506, MCA, IS AMENDED TO READ:

'76-15-506. Bonds authorized — election. (1) Whenever a board of supervisors deems it necessary, it may issue bonds payable from revenues, assessments, or both, or the district may use other financing as provided for by this part and part 6 for the cost of works.

(2) The board of supervisors may call a special election to vote upon the proposition of issuing the bonds or may submit the proposition as a special question at a regular or general election. ~~The notice of the election and the election itself shall be carried out in accordance with 76-15-605 and 76-15-606.~~ If from the returns of the election it appears that the majority of votes cast at such election was in favor of and assented to the incurring of the indebtedness, then the board of supervisors may by resolution provide for the issuance of such bonds.

(3) The authorization of such undertaking, the form, and content shall be carried out in accordance with 7-7-4426, 7-7-4427, and 7-7-4432 through 7-7-4435. Validity of such bonds, use of revenue, and refunding shall be in accordance with the provisions of 7-7-4425, 7-7-4430, 7-7-4501 (2) and (3), and 7-7-4502 through 7-7-4505.

(4) Any bonds issued under this part and part 6 have the same force, value, and use as bonds issued by a municipality and are exempt from taxation as property within the state of Montana.'

SECTION 395. SECTION 76-15-605, MCA, IS AMENDED TO READ:

'76-15-605. Board decision. (1) The report of 76-15-603 shall be presented and read at the hearing on the petition.

(2) At the public hearing on the petition, the board of supervisors shall proceed to hear and pass upon all protests made and its decision shall be final and conclusive except when owners of more than 50% of the land in the proposed project area protest the project. If owners of more than 50% of the land protest the project, no further action may be taken for a period of 6 months from the date of the hearing, after which a new petition may be filed.

(3) If the board or boards of supervisors find that it is not feasible, desirable, or practical to establish the proposed project area, they shall make an order denying the petition and shall state therein their reasons for so doing.

(4) If, however, the board finds that the project is desirable, proper, and necessary, it shall grant the petition, establish the boundaries of the proposed project area, and ~~give due notice of an election~~ notify the county election administrator that an election is to be held in the proposed area for the purpose of determining whether or not the project area shall be created.'

SECTION 396. SECTION 76-15-701, MCA, IS AMENDED TO READ:

'76-15-701. Adoption of land use regulations. (1) The supervisors of any district shall have authority to formulate regulations governing the use of lands within the district in the interest of conserving soil and water resources and preventing and controlling erosion. The supervisors may conduct such public meetings and public hearings upon tentative regulations as may be necessary to assist them in this work.

(2) The supervisors shall not have authority to enact such land use regulations into law until after they shall have caused due notice to be given of their intention to ~~conduct~~ order a referendum for submission of such regulations to the qualified electors within the boundaries of the district for their indication of approval or disapproval of such proposed regulations and until after the supervisors have considered the result of such referendum.'

SECTION 397. SECTION 76-15-702, MCA, IS AMENDED TO READ:

'76-15-702. Referendum on proposed land use regulations. (1) The proposed regulations shall be embodied in a proposed ordinance. Copies of such proposed ordinance shall be available for the inspection of all eligible voters during the period between publication of such notice and the date of the referendum.

(2) The notices of the referendum shall recite the contents of such proposed ordinance or shall state where copies of such proposed ordinance may be examined. The question shall be submitted by ballots upon which the words "For approval of proposed ordinance No. ...., prescribing land use regulations for conservation of soil and prevention of erosion" and "Against approval of proposed ordinance No. ...., prescribing land use regulations for conservation of soil and

prevention of erosion" shall appear, with a square before each proposition and a direction to insert an "X" mark in the square before one or the other of said propositions as the voter may favor or oppose approval of such proposed ordinance.

(3) The supervisors shall ~~supervise such referendum, shall prescribe appropriate regulations governing the conduct thereof, and shall~~ publish the result ~~thereof~~ of the referendum. All ~~qualified~~ registered electors within the district shall be eligible to vote in such referendum. No informalities in the conduct of such referendum or in any matters relating thereto shall invalidate said referendum or the result thereof if notice thereof shall have been given substantially as herein provided and said referendum shall have been fairly conducted.'

SECTION 398. SECTION 85-7-1501, MCA, IS AMENDED TO READ:

'85-7-1501. Qualifications of commissioners and term of office. (1) No person may be a commissioner unless he is an owner of land within the district and is a resident of the county in which the division of the district or some portion thereof, for which the commissioner is elected, is situated.

(2) The commissioners appointed shall hold their respective offices until the second Saturday in ~~April~~ December following their appointment and until their respective successors are elected and qualified. Each of the commissioners shall qualify in the same manner as justices of the peace. The bond for a commissioner shall be approved by the district court or judge thereof and filed in the office of the clerk of the court.'

SECTION 399. SECTION 85-7-1602, MCA, IS AMENDED TO READ:

'85-7-1602. Election on joint operations. At any time after March 7, 1959, in the event that it is deemed advisable or desirable for any irrigation districts to operate under the direction of a board of control as herein provided, the boards of commissioners of the districts, after petition requesting the same be received and filed with them, must call an election to put the question before the landowners of the districts which are petitioned to be joined. In the event a majority of the landowners of each district, as provided by 85-7-1710, vote for organizing such board of control, then the commissioners of each district will be authorized and directed to enter into such contract to operate the districts in accordance with the terms of this part as provided by 85-7-1601. The election herein provided shall be conducted in the same manner and the same persons shall be entitled to vote thereat as provided for elections of commissioners of irrigation districts, in accordance with ~~85-7-1701,~~ 85-7-1702, ~~85-7-1704 through~~ 85-7-1710, and 85-7-1712.'

SECTION 400. SECTION 85-8-302, MCA, IS AMENDED TO READ:

'85-8-302. Election of commissioners — regular term of office. (1) The regular election of commissioners shall be held annually ~~on the first Tuesday in April of each year~~ in accordance with 13-1-104. The term of office of commissioners shall commence on the first ~~Tuesday in May~~ Monday in January following their election. At the first regular election following the organization of a district and in districts organized and in existence on March 1, 1921, and which, on

petition, have been divided into divisions, at the first regular election following the date of the order making such division, there shall be elected three commissioners, one commissioner being elected from each division of which he must be an actual landowner. One of the commissioners, to be determined by lot, shall hold office until the first ~~Tuesday in May~~ Monday in January in the year following his election; another of the commissioners, to be determined by lot, shall hold office until the first ~~Tuesday in May~~ Monday in January in the second year following his election; and the third of the commissioners shall hold office until the first ~~Tuesday in May~~ Monday in January in the third year following his election. Thereafter one commissioner shall be elected each year, who shall hold office for a term of 3 years and until his successor is elected and qualified. The person elected as a commissioner in each year to succeed the commissioner whose term is then expiring must be elected as a commissioner from the same division as the commissioner whom he is to succeed.

(2) Each commissioner must be a resident of a county where a portion of the district lands is situated.'

SECTION 401. SECTION 85-8-303, MCA, IS AMENDED TO READ:

'85-8-303. Notice of election. ~~Fifteen days~~ Forty days before any regular election, the secretary of the board of commissioners shall give notice by mail to all landowners within the district of the time and place of holding the election. ~~Prior to the mailing of such notices the board must, by resolution, designate a polling place and appoint three persons to act as judges and clerks of election in each precinct. The board shall prescribe the form and provide for the printing of the ballots for all elections.~~'

SECTION 402. SECTION 85-8-304, MCA, IS AMENDED TO READ:

'85-8-304. ~~Conduction of election.~~ Results of election. ~~Any judge of election may administer any oath required to be administered during the progress of an election. Before the opening of the polls the judges of election must take and subscribe an oath to faithfully perform the duties imposed upon them by law, and such oath may be administered by any elector. The polls shall open at 12 noon and be kept open until 5 p.m., when the same shall be closed. Such elections shall be conducted, except as herein otherwise provided, as nearly as practicable in accordance with the provisions of the general election laws of the state, except that no registration shall be required. As soon as the polls are closed the judges shall count and tabulate the votes cast and make out a certificate, to be signed by them, showing the total number of votes cast at the election and the total number cast for each candidate for commissioner and shall deliver such certificate, with a list of the electors voting at such election, to the board of commissioners. Such board of commissioners shall meet on the first Monday following such election and canvass such returns. The board shall declare elected the person or persons receiving the highest number of votes.~~ The clerk of the board of directors shall enter the result of ~~such canvass~~ the election in the minutes of the board and file with the clerk of the district court creating the district a statement showing the names of the persons elected as commissioners, the names of the commissioners whose terms will expire on the first ~~Tuesday in May~~ Monday in January

following, and the names of all of the persons who will compose the board of directors for the year next following the first ~~Tuesday in May~~ Monday in January.'

SECTION 403. SECTION 85-8-306, MCA, IS AMENDED TO READ:

'85-8-306. Nominations. Candidates for the office of commissioner to be filled by election under the provisions of this part may be nominated by petition filed with the ~~secretary of the board of commissioners at least 10 days prior to date of holding the election~~ county election administrator and signed by at least five electors of the district. If no nominations are made, the electors of the district shall write on the ballots the name or names of the persons for whom they desire to vote. Nothing herein contained shall prevent an elector from voting for any qualified person, although the name does not appear on the official ballot.'"

Renumber: subsequent sections

33. Page 323, line 7.
Following: "in"
Strike: "1981"
Insert: "1979"

34. Page 325, line 2.
Following: "Sections"
Insert: "2-15-413,"

35. Page 325, line 3.
Following: line 2
Insert: "7-3-1233, 7-3-1234, 7-3-1272 through 7-3-1280, 7-3-4224 through 7-3-4226, 7-3-4232 through 7-3-4241,"

36. Page 325, line 23.
Following: "85-7-1701,"
Strike: "85-7-1703"
Insert: "85-7-1704"

37. Page 325, line 24.
Following: "85-7-1711,"
Strike: "85-7-1713,"

And as amended, be concurred in. Report adopted.

STATEMENT OF INTENT RE: Senate Bill No. 65

A Statement of Intent is required for this bill because it delegates rulemaking authority to the secretary of state in section 200; amends 13-37-114, MCA, which delegates authority to the commissioner of campaign finances and practices to promulgate rules; and amends 13-37-227, MCA, which requires the commissioner of campaign finances and practices to adopt certain rules.

In addition, this statement is intended to clarify the authority granted to the secretary of state in section 12.

1. In subsection (1) of section 200 the secretary of state is authorized to adopt rules in accordance with the Montana Administrative Procedure Act relating to the examination and approval for use of voting machines and devices. The rapidly changing technology used to develop these machines and devices makes it impossible to anticipate and address every problem that may occur in determining if a machine or device is desirable for use in Montana. It is the intent of the Legislature that the secretary of state adopt rules specifying criteria for approval that must be met by

new types of machines or devices. The secretary of state may find it necessary to adopt additional rules relating to hearings on allowing the use of machines or devices in Montana if a number of companies request approval of their equipment.

2. In subsection (2) of section 200 the secretary of state is required to prescribe rules for the use of the machines and devices approved for use in Montana. The development of new types of machines and devices makes it impossible to provide detailed procedures for local election officials to follow in using machines and devices by statute. The secretary of state should provide, by rule, the same type of procedural guidance given by statutory law for elections conducted by paper ballots in those cases when the procedures need to be different than those used for paper ballot elections. Rules prescribed under this authority shall include specific procedures needed to insure that the machine or device is working properly and has not been tampered with, special procedures needed to count or record the votes cast, and special procedures to be used during a recount.

3. In section 233, the bill amends 13-37-114, MCA, to limit the rulemaking authority of the commissioner of campaign finances and practices to chapters 35, 36, and 37 of Title 13 in conformance with other amendments and provisions throughout the bill to clearly define the authority of the commissioner, the secretary of state, and local election officials.

4. In section 257, the bill amends 13-37-227, MCA, to require the commissioner of campaign finances and practices to adopt additional rules relating to political committees which file periodic reports with the federal election commission and those headquartered outside of Montana. It is the intent of the Legislature that the commissioner adopt rules which will allow these committees to comply with Montana laws by filing copies of federal reports, whenever possible.

5. In subsection (1)(a) of section 12, the authority given to issue written directions and instructions is intended to give legal standing to the type of directives and instructions the secretary of state has issued in the past in regard to elections and is not intended to significantly increase the number of directives and instructions. The main purpose of a directive or instruction should be to assist election administrators in their duties and assure uniform procedures are used in all counties, whenever possible.

6. In subsection (1)(c) of section 12, the secretary of state is authorized to issue advisory opinions. It is the intent of the Legislature that advisory opinions should be made primarily for administrative problems that do not apply to all counties in the state or to problems that do not regularly occur. An opinion should be issued only when the person requesting the opinion and the secretary of state believe the problem is administrative in nature and does not require a legal opinion from a county attorney or the attorney general.

/s/Scully

TAXATION (Huennekens, Chairman): 3/20/79

HB 297, introduced bill, be amended as follows:

1. Title.
Following: line 6
Strike: lines 7 through 9 in their entirety
Insert: "'THAT LAND OWNED BY A NONPROFIT MONTANA CORPORATION USED FOR OUTDOOR ATHLETIC AND RECREATIONAL PURPOSES IS CLASS FIFTEEN PROPERTY; AMENDING SECTION 15-6-116, MCA."

2. Page 1.
Strike: all of the bill following the enacting clause

Insert: "Section 1. Section 15-6-116 is amended to read:

'15-6-116. Class fifteen property — description — taxable percentage. (1) Class fifteen property includes:

(a) all land used for outdoor athletic and recreational purposes owned by a nonprofit Montana corporation; and

(b) so much of the market value of any improvement on real property, a trailer affixed to land, or mobile home and appurtenant land not exceeding 5 acres as does not exceed $35,000, when such dwelling and land are owned or under contract for deed and are actually occupied for at least 10 months per year as the primary residential dwelling of:

~~(a)~~(i) a widow or widower 62 years of age or older who qualifies under the income limitations of (c) of this subsection;

~~(b)~~(ii) a widow or widower of any age with dependent children who qualifies under the income limitations of (c) of this subsection; or

~~(c)~~(iii) a recipient or recipients of retirement or disability benefits whose total income from all sources is not more than $7,000 for a single person or $8,000 for a married couple.

(2) (a) A person applying for classification of property under ~~this class~~ subsection (1)(b) must make an affidavit to the department of revenue on a form provided by the department without cost as to:

(i) his income, if applicable;

(ii) his retirement benefits, if applicable;

(iii) his marital status, if applicable;

(iv) the fact that he maintains the land and improvements as his primary residential dwellings; and

(v) such other information as is relevant to the applicant's eligibility.

(b) This application must be made before March 1 of the year after the applicant becomes eligible under this classification.

(c) For the purpose of the affidavit required for classification of property under ~~this class~~ subsection (1)(b), it shall be sufficient if the applicant signs a statement swearing to or affirming the correctness of the information supplied, whether or not the statement is signed before a person authorized to administer oaths, and mails the application and statement to the department of revenue. This signed statement shall be treated as a statement under oath or equivalent affirmation for the purposes of 45-7-202, relating to the criminal offense of false swearing.

(3) Class fifteen property is taxed at 6% of its market value or so much of 6% as is determined under 15-7-121, whichever is less.'"

And as amended, do pass. Report adopted.

HB 910, do pass. Report adopted.

Spilker present at this time.

Hurwitz excused at this time.

Adverse Committee Reports

Gesek, Oberg, Keedy, Huennekens, Bennett, Nordtvedt, Uhde, Tropila, Gerke, Reichert objected that SB 368 was reported out of committee with a be not concurred in recommendation and requested that the bill be referred to Second Reading.

On motion by Scully, the Adverse Committee Report on SB 232 was adopted by the following vote: (73-13)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Harrington, Hayne, Hemstad, Holmes, Huennekens, Jensen, Johnson, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Lien, Lory, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Staigmiller, Stobie, Teague, Thoft, Vincent, Vinger, Williams, Wyrick, Mr. Speaker.
Total 73

Noes: Brand, Cooney, Dussault, Harper, Keedy, Kemmis, Kessler, Lund, McBride, Oberg, Uhde, Underdal, Waldron.
Total 13

Excused: Ellis, Fagg, Hurwitz, Iverson, South, Tropila.
Total 6

Absent or not voting: Burnett, Ellerd, Hand, Hirsch, Nordtvedt, Spilker, Wood, Yardley.
Total 8

On motion by Scully, the Adverse Committee Report on SB 283 was adopted by the following vote: (69-17)

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellison, Ernst, Gesek, Gilligan, Gould, Harrington, Hayne, Hemstad, Holmes, Huennekens, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Staigmiller, Thoft, Uhde, Vincent, Waldron, Williams, Mr. Speaker.
Total 69

Noes: Curtiss, Eudaily, Fabrega, Feda, Frates, Harper, Hirsch, Kropp, Meyer, Ramirez, Rosenthal, Stobie, Teague, Underdal, Vinger, Wood, Wyrick.
Total 17

Excused: Ellis, Fagg, Hurwitz, Iverson, South, Tropila.
Total 6

Absent or not voting: Bardanouve, Burnett, Ellerd, Hand, K. Robbins, Sales, Spilker, Yardley.
Total 8

On motion by Scully, the Adverse Committee Report on SB 348 was adopted by the following vote: (67-24)

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington,

Hayne, Hemstad, Hirsch, Jensen, Johnson, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manuel, Marks, Menahan, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Vinger, Williams, Wood, Wyrick, Mr. Speaker.
Total 67

Noes: Azzara, Brand, Dassinger, Dussault, Harper, Holmes, Huennekens, Keedy, Kemmis, Kessler, McBride, Manning, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, Reichert, K. Robbins, Uhde, Underdal, Vincent, Waldron.
Total 24

Excused: Ellis, Fagg, Hurwitz, Iverson, South, Tropila.
Total 6

Absent or not voting: Burnett, Ellerd, Yardley.
Total 3

MESSAGES FROM THE GOVERNOR

The Honorable Harold Gerke 3/19/79
Speaker
House of Representatives
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that I have signed the following measures this date.

House Bill Nos. 51, 68, 91, 92, 94, 108, 128, 169, 182, 184, 185, 186, 194, 253, 290, 300, 306, 308, 311, 331, 335, 405, 407, 428, 459, 572, 605, 650 and 683.

Sincerely,

Thomas L. Judge
Governor

The Honorable Harold Gerke 3/20/79
Speaker of the House
Montana State House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that I have signed the following measures this date.

House Bill Nos. 40, 126, 288, 340, 369, 374, 505, 548, and 670.

Sincerely,

Thomas L. Judge
Governor

MESSAGES FROM THE OTHER HOUSE

The Senate on 3/19/79, acceded to the request of the House of Representatives and appointed a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Joint Resolution No. 21.

The President appointed the following members:

Senator Lowe, Chairman
Senator Blaylock
Senator Dover

The Senate on 3/19/79, acceded to the request of the House of Representatives and appointed a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 608.

The President appointed the following members:

Senator Turnage, Chairman
Senator Healy
Senator O'Hara

The Senate on 3/19/79, acceded to the request of the House of Representatives and appointed a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 432.

The President appointed the following members:

Senator Manning, Chairman
Senator Kolstad
Senator Hager

The Senate on 3/19/79, acceded to the request of the House of Representatives and appointed a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 594.

The President appointed the following members:

Senator Hazelbaker, Chairman
Senator Dover
Senator Peterson

The Senate on 3/19/79, acceded to the request of the House of Representatives and appointed a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 283.

The President appointed the following members:

Senator Goodover, Chairman
Senator McCallum
Senator Ryan

House Bill indefinitely postponed and returned to the House: 3/19/79

House Bill No. 101, introduced by Vincent, Bardanouve, Huennekens

House Bill No. 663, introduced by Brand

House Bills concurred in as amended and returned to the House for concurrence in Senate Amendments: 3/19/79

House Bill No. 57, introduced by Spilker

House Bill No. 342, introduced by Ellis, Gerke

House Bill No. 490, introduced by Burnett

House Bill No. 570, introduced by Menahan

House Bill No. 688, introduced by Manning, Manuel, Hurwitz

House Bill No. 713, introduced by Kessler, Baeth, Teague, O'Connell

House Bill No. 718, introduced by Donaldson

House Bill No. 783, introduced by Lory, Ramirez

House Bill No. 797, introduced by Uhde

House Bill No. 850, introduced by Cooney, Vincent, Feda, et al

House Bill and House Joint Resolution not concurred in and returned to the House: 3/19/79

House Bill No. 825, introduced by Lund, Ramirez, Nathe, et al

House Joint Resolution No. 50, introduced by Sivertsen, Ramirez, Kolstad, et al

House Bill not concurred in as amended and returned to the House: 3/19/79

House Bill No. 808, introduced by Baeth, Shelden

House Bills and House Joint Resolution concurred in and returned to the House: 3/19/79

House Bill No. 208, introduced by Brand

House Bill No. 591, introduced by Bardanouve

House Bill No. 599, introduced by Ellerd, Gerke

House Bill No. 600, introduced by Bardanouve

House Bill No. 693, introduced by Bardanouve

House Bill No. 698, introduced by Porter, Donaldson, Sales, Thiessen

House Joint Resolution No. 13, introduced by Harper, O'Connell, Brand

Senate Bills passed as amended and transmitted to the House for concurrence: 3/19/79

Senate Bill No. 354, introduced by Thomas

Senate Bill No. 372, introduced by Lowe, R. Smith, Nelson, Thiessen

MOTIONS

Dussault moved that SB 229, presently on Second Reading, be passed for the day. Motion carried.

Dussault moved that SB 401 be rereferred from the Committee on Rules to the Committee on Taxation. Motion carried.

Dussault moved that all Senate Amendments to House Bills on Second Reading this day be passed until the Seventy-first Legislative Day. (SA to HBs 14, 24, 196, 248, 302, 371, 482, 487, 521, 585, 779, HJR 34 and HJR 43). Motion carried.

Dussault moved that the following Senate Bills, presently on Second Reading, be passed for the day: SB 54, SB 200, SB 229, SB 243, SB 380, SB 404, SB 491, SB 516 and SJR 27. Motion carried.

Dussault moved that HB 116, presently on Second Reading this day, be placed below SB 2. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time and referred to committee:

HB 916, (introduced by Taxation Committee). Referred to Committee on Taxation.

The following Senate bills were introduced, read first time and referred to committees:

SB 354, introduced by Thomas. Referred to Committee on Taxation.
SB 372, introduced by Lowe, R. Smith, Nelson, Thiessen. Referred to Committee on Rules.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 639 was passed by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Brand, Burnett, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Ellison, Ernst, Frates, Gesek, Gilligan, Hemstad, Hirsch, Holmes, Huennekens, Johnson, Kanduch, Kemmis, Kessler, Keyser, Kvaalen, Lien, McBride, Magone, Menahan, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Scully, Shelden, Smith, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Yardley, Mr. Speaker.
Total 52

Noes: Anderson, Bengtson, Bennett, Bertelsen, Conroy, Curtiss, Donaldson, Ellerd, Ellis, Eudaily, Feda, Gould, Hand, Harper, Harrington, Hayne, Hurwitz, Jensen, Johnston, Keedy, Kropp, Lory, Lund, Manning, Manuel, Marks, Metcalf, Meyer, Moore, Nordtvedt, Porter, Ramirez, Roth, Sales, Schultz, Seifert, Sivertsen, Spilker, Staigmiller, Teague, Williams, Wood, Wyrick.
Total 43

Paired: Bardanouve, Aye; Hurwitz, No.

Excused: Fagg, South.
Total 2

Absent or not voting: Fabrega, Iverson, Stobie.
Total 3

Senate Bill No. 205 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Feda, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: Frates, Holmes, Huennekens.
Total 3

Excused: Fagg, South.
Total 2

Absent or not voting: Fabrega.
Total 1

Hurwitz present at this time.

Senate Bill No. 261 (Constitutional Amendment) failed to receive the necessary two-thirds vote of the Legislature by the following vote:

Ayes: Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Ellerd, Ellis, Ellison, Ernst, Fabrega, Feda, Frates, Gesek, Gould, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Lien, Lund, Manning, Marks, Meyer, Moore, Nathe, Porter, Ramirez, H. Robbins, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Thoft, Tropila, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.
Total 61

Noes: Anderson, Azzara, Baeth, Cooney, Dozier, Dussault, Eudaily, Gilligan, Hand, Harper, Harrington, Hemstad, Keedy, Kemmis, Kessler, Lory, McBride, Magone, Manuel, Menahan, Metcalf, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, K. Robbins, Rosenthal, Scully, Shelden, Teague, Uhde, Vincent, Waldron, Yardley.
Total 37

Excused: Fagg, South.
Total 2

Absent or not voting: None.
Total 0

Senate Bill No. 346 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Fagg, South.
Total 2

Absent or not voting: Fabrega, Scully.
Total 2

Senate Bill No. 409 was concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy,

Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Shelden, Sivertsen, Spilker, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 81

Noes: Baeth, Day, Feda, Hayne, Jensen, Kropp, Meyer, Moore, Roth, Seifert, Smith, Staigmiller, Stobie, Thoft, Vinger.
Total 15

Excused: Fagg, South.
Total 2

Absent or not voting: Fabrega, Scully.
Total 2

Senate Bill No. 497 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Schultz, Shelden, Sivertsen, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 81

Noes: Feda, Hand, Holmes, Hurwitz, Moore, Nathe, Nordtvedt, Rosenthal, Roth, Sales, Seifert, Smith, Stobie, Underdal, Vinger.
Total 15

Excused: Fagg, South.
Total 2

Absent or not voting: Fabrega, Scully.
Total 2

Senate Bill No. 503 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Dassinger, Day.
Total 2

Excused: Fagg, South.

Total 2

Absent or not voting: Fabrega, Scully, Shelden.
Total 3

Senate Bill No. 511 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: Pistoria.
Total 1

Excused: Fagg, South.
Total 2

Absent or not voting: Fabrega, Johnston, Scully.
Total 3

MOTIONS

Dussault moved that SB 372 be rereferred from the Committee on Rules to the Committee on Appropriations. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Marks in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 402, second reading copy, be amended as follows: (84-2)

1. Page 4, line 22.
Following: "April 1,"
Strike: "1981"
Insert: "1979"

2. Page 4, lines 24 and 25.
Strike: subsection (b) in its entirety
Renumber: subsequent subsections

3. Page 5, line 2.
Strike: "6"
Insert: "4"

4. Page 5, line 4.

Strike: "8"
Insert: "6"

5. Page 5.
Following: line 7
Insert: "Section 3. Suspension. The governor may, upon recommendation of the director of the department of revenue and the director of the department of highways, suspend this act if the fiscal impact of this act significantly impairs the maintenance or construction of state or interstate highway systems."
Renumber: subsequent sections

And as amended, do pass. (76-19)

Dussault moved that SB 2 and HB 115 be placed below SB 106. Motion carried.

South present at this time.

That SB 44 be concurred in. Motion failed. (25-64)

That SB 44 be not concurred in. (72-15)

That SB 88 be concurred in. (87-0)

That SB 106 be concurred in. (69-16)

That SB 2 be concurred in. (87-5)

That HB 116 do pass. (84-9)

Seifert replaced Marks in the Chair.

That SB 250 be concurred in. (83-3)

Fagg present at this time.

Oberg moved that SB 263 be placed below SB 374. Motion carried.

Marks back in the Chair.

That SB 271 be concurred in. (83-0)

That SB 284 be concurred in. (83-1)

That SB 291 be concurred in. (79-2)

That SB 301 be concurred in. (82-3)

Dussault moved that the Committee rise and report and beg leave to sit again. (Marks, Chairman). Report adopted. (82-4)

Representative Ellison introduced Mr. Calvin R. Bohleen to the House members. Mr. Bohleen was selected as one of America's Ten Outstanding Young Men for 1979 by the United States Jaycees. Bohleen, a quadriplegic, was honored by the following gubernatorial proclamation:

STATE OF MONTANA

PROCLAMATION

WHEREAS, Calvin R. Bohleen has been selected as one of America's Ten Outstanding Young Men for 1979 by the United States Jaycees; and

WHEREAS, Mr. Bohleen received this award in recognition of his successful efforts to transcend both physical and financial setbacks; and

WHEREAS, Mr. Bohleen typifies the Montana spirit of overcoming severe hardships; and

WHEREAS, Mr. Bohleen has displayed the best traits of our state's history and its people; and

WHEREAS, Mr. Bohleen serves as a respected example for all Montanans who have suffered personal tragedies.

NOW, THEREFORE, I, THOMAS L. JUDGE, Governor of the State of Montana am proud to declare March 20, 1979 as

CALVIN R. BOHLEEN DAY IN MONTANA

and urge all Montanans to join with me in honoring this fine Montanan.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the GREAT SEAL OF THE STATE OF MONTANA to be affixed. DONE at the City of Helena, the Capital, this nineteenth day of March, in the year of our LORD, one thousand and nine hundred and seventy-nine.

THOMAS L. JUDGE
Governor of Montana

ATTEST

FRANK MURRAY
Secretary of State

Following the reading of the proclamation, Mr. Bohleen spoke to the House members. Mr. Bohleen received a standing ovation as he and his wife, Susan, left the House Chamber.

MOTIONS

Dussault moved that the House accede to the request of the Senate and return HB 623 for further consideration. Motion carried.

Dussault moved that the Appropriations Committee be excused for the rest of this legislative day. Motion carried.

REPORTS OF STANDING COMMITTEES

Do Pass

AGRICULTURE, LIVESTOCK AND IRRIGATION (Day, Chairman):
3/19/79

SB 520, third reading copy, be amended as follows:

1. Page 1, line 15.
Following: "~~2 ½~~"
Insert: "2 ½ mills per bushel (except for the fiscal years ending on June 30, 1980 through 1983, when"
Following: "bushel"
Insert: "may be levied)"

2. Page 1, line 16.
Following: "~~5~~"
Insert: "5 mills per hundredweight (except for the fiscal years ending on June 30, 1980 through 1983, when"
Following: "hundredweight"
Insert: "may be levied)"

3. Page 2, lines 18 and 19.
Following: "For the"
Insert: "fiscal"

4. Page 2, line 19.
Following: "years"
Strike: "1979"
Insert: "ending on June 30, 1980"

5. Page 3, line 8.
Following: "as of"
Strike: "December 31"
Insert: "June 30"

6. Page 3, lines 9 and 10.
Following: "to the"
Strike: "earmarked revenue account to the credit of the wheat research and marketing committee"
Insert: "wheat research and marketing account in the federal and private revenue fund"

And as amended, be concurred in. Report adopted.

SJR 14, be concurred in. Report adopted.

APPROPRIATIONS (Bardanouve, Chairman): 3/19/79
HB 483, introduced bill, be amended as follows:

1. Page 1, line 8.
Strike: everything after the enacting clause
Insert: "Section 1. Title. This act may be cited as the 'General Appropriations Act of 1979'.

Section 2. Definitions. For the purposes of this act, unless otherwise stated:

(1) 'Agency' means each state office, department, division, board, commission, council, committee, institution, university unit, or other entity or instrumentality of the executive branch, office of the judicial branch, or office of the legislative branch of state government.

(2) 'Approving authority' means the governor or his designated representative for executive branch agencies; the chief justice of the supreme court for judicial branch agencies; appropriate legislative committees for legislative branch agencies; or the board of regents for the university system.

(3) 'University system unit' means the board of regents, office of the commissioner of higher education, the university of Montana at Missoula, Montana state university at Bozeman, Montana college of mineral science and technology at Butte, eastern Montana college at Billings, northern Montana college at Havre, western Montana college at Dillon, the agricultural experiment station with central offices at Bozeman, the cooperative extension service with central office at Bozeman, or the bureau of mines and geology with central office at Butte.

Section 3. Budget amendments. The approving authority may approve a budget amendment to spend funds that were not available for consideration by the legislature but have become available from a source other than the state's general fund or earmarked revenue fund and other than receipts to the state from the United States

government made available under provisions of P.L. 94-488, the federal Revenue Sharing Extension Act or any extension or modification of that act. Each budget amendment shall be submitted to the budget director and the office of legislative fiscal analyst.

Section 4. Amendment procedures. (1) In approving a budget amendment, the approving authority shall:

(a) certify specific additional services to be provided as a result of a higher expenditure level;

(b) certify that no other alternative is available to provide the additional services;

(c) certify that the additional proposed services have not been considered and rejected by the legislature;

(d) certify that no commitment, implied or otherwise, is made for increased future general fund support;

(e) specify criteria for evaluating the effectiveness of the additional services provided.

(2) The additional funds are appropriated contingent upon total compliance with all budget amendment procedures.

Section 5. Budget requests. Sufficient funds are appropriated in this act to enable each agency to submit its budget request to the budget director and the legislative fiscal analyst pursuant to the time schedule established in 17-7-112(1), MCA. If any agency fails to submit its final, complete budget request by the deadlines established in 17-7-112(1), the expenditure authority herein granted shall be reduced or rescinded by the budget director unless the agency director certifies that an emergency situation has precluded a timely budget presentation and the budget director approves an extension not to exceed 30 days.

Section 6. Expenditure limit. Expenditures may not exceed appropriations.

Section 7. Other appropriated funds. Unless otherwise indicated herein, the appropriations made under the column heading 'Other Appropriated Funds' are from funds within the earmarked revenue fund, the federal and private revenue fund, or the revolving fund that accrue under provisions of law to the expending agency.

Section 8. Operating budgets. Expenditures may be made only in accordance with operating budgets approved by the approving authority. The respective appropriations are contingent upon approval of the operating budget by July 1 of each fiscal year. Each operating budget shall include expenditures for each agency program detailed at least by personal services, operating expenses, equipment, benefits and claims, transfers, and local assistance.

Section 9. Access to records. No funds appropriated by this act may be expended for any contract, written or oral, for services with a nonstate entity for services to be provided by the nonstate entity to members of the public on behalf of the state unless such contract contains a provision allowing access to those records of the nonstate entity as may be necessary for legislative audit and analysis purposes in determining compliance with the terms of the contract. Each such contract shall automatically terminate, and each contract shall so provide, upon refusal of the nonstate entity to allow access to

records necessary to carry out the legislative audit and analysis functions set out in Title 5, chapters 12 and 13, MCA.

Section 10. Reduction of appropriation. In the event of a shortfall in revenue, the governor may reduce any appropriation by not more than 15% except appropriations for:

1. payment of interest and retirement of state debt;
2. the legislative branch;
3. the judicial branch;
4. public schools; or
5. salaries of elected officials during their term of office.

Section 11. Severability. If any section, subsection, sentence, clause, or phrase of this act is for any reason held unconstitutional, such decision shall not affect the validity of the remaining portions of this act.

Section 12. Reversion. Notwithstanding other provisions of law, the unexpended balance of each appropriation shall revert to the fund from which it was appropriated at the end of each fiscal year unless otherwise provided in this act.

Section 13. Other funds to offset general fund. The approving authority shall decrease the general fund appropriation of the agency by the amount of funds received from other sources in excess of the appropriation provided in this act unless such action is expressly contrary to state or federal law, rule, or contract or the approving authority certifies that the services to be funded by the additional funds are significantly different from those for which the agency has received an appropriation.

Section 14. Totals not appropriations. The totals shown in the act are for informational purposes only and are not appropriations.

Section 15. Appropriations. The following money is appropriated only for the purposes shown for the respective fiscal years:

A. LEGISLATIVE, JUDICIAL, AND ADMINISTRATIVE AGENCIES

	Fiscal Year 1980		Fiscal Year 1981	
	General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds
LEGISLATIVE AUDITOR				
	1,315,058		1,355,481	

State agencies partially or totally funded by federal money shall, based upon a percentage of completion of an audit contracted or conducted by the legislative auditor, transfer an amount to the legislative auditor as reimbursement for the costs of audit associated with the federal funds. The costs of audit and amount to be transferred shall be determined by the legislative auditor, based upon actual costs incurred and available funds. The money transferred shall be deposited by the legislative auditor into the general fund as reimbursement to the general fund for costs of audits of such federally funded programs, unless such a transfer is specifically prohibited by federal law.

	Fiscal Year 1980		Fiscal Year 1981	
	General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds

Based upon a percentage of completion of each audit of the respective programs and at the request of the legislative auditor, nongeneral fund and nonfederal fund revenue received by the following agencies shall be transferred to the legislative auditor. The amount to be transferred shall be determined by the legislative auditor and, upon transfer, deposited in the general fund as reimbursement for audit costs. Such transfers during the biennium may not exceed:

Public Employees' Retirement System	10,600
Teachers' Retirement System	8,500
Department of Administration, Computer Services Division	12,000
Investment Division (2 audits)	42,000
Department of Highways	75,000
Workers' Compensation Division	30,500
Department of Fish and Game	26,000
Department of Revenue, Liquor Division	25,000
Total	229,600

LEGISLATIVE FISCAL ANALYST				
	364,905		395,324	
LEGISLATIVE COUNCIL				
1. Administration	1,580,238	125,000	1,496,261	25,000
2. Prioritized Interim Studies	150,000			
Total Legislative Council	1,730,238	125,000	1,496,261	25,000

A contingency of $25,000 is established for interim studies within item 2.

This appropriation includes expenses of the council incident to the 1981 legislature. Not included within the appropriation are legislative costs for the public information center, interns, mailroom, printroom, business office, and leadership travel. Also included is $426,151 in 1980 for the printing, postage, and extra titles cost of the Montana Code Annotated (MCA). A revolving account shall be established for collections received from the sale of the MCA.

ENVIRONMENTAL QUALITY COUNCIL	130,260		136,000	
CONSUMER COUNSEL		310,270		320,090

JUDICIARY

	Fiscal Year 1980		Fiscal Year 1981	
	General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds
1. Supreme Court Operations	633,875		637,704	
2. Microfilming	50,000		50,000	
3. Boards and Commissions	100,000		100,000	
4. Law Library	169,140		181,744	
5. District Court	1,302,600		1,305,938	
Total Judiciary	2,255,615		2,275,386	

The appropriation in item 1 includes $30,000 a year for the assembling and publishing of the Montana Reports in hard cover. The supreme court shall contract for the printing of Montana Reports. Proceeds from the sale of Montana Reports shall be deposited in a revolving account to finance publishing costs. It is further recommended these costs be reduced whether through in-house printing, computer-generated reports, or microfilming.

GOVERNOR'S OFFICE

1. Executive Office	655,023		651,329	
2. Mansion Maintenance	77,851		79,291	
3. Office of Budget and Program Planning	639,683		651,839	
4. Office of Commerce	39,000	270,000	39,000	270,000
5. Economic Development	50,000	150,000	50,000	150,000
6. Citizens Advocate	55,067		56,424	
7. Lieutenant Governor	158,872	109,000	160,187	
8. Legal Jurisdiction	112,804		115,554	
Total Governor's Office	1,788,300	529,000	1,803,624	420,000

The appropriation in item 4 allows $39,000 a year in general fund money for matching purposes.

All grants or loans provided in item 5 shall be submitted to the legislative finance committee for review and no grants or loans may be made without prior review by the council of economic advisors.

The 1980 appropriation in item 7 for fiscal year 1980 includes $109,000 of federal funds for the northern Powder River EIS project and the old west beef export study. This funding is for the first 3 months of the fiscal year at which time these projects will be terminated.

	Fiscal Year 1980		Fiscal Year 1981	
	General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds

It is the intent of the legislature that funds obtained for federal projects during the interim be placed within the appropriate functional department.

The office of budget and program planning is directed to study the individual needs of state agencies for microfilming equipment to further centralize this function within the department of administration.

SECRETARY OF STATE				
1. Records Management	425,319		480,145	
2. Administrative Code	132,811		100,412	
Total Secretary of State	558,130		580,557	
COMMISSIONER OF CAMPAIGN PRACTICES	93,386		99,310	
STATE AUDITOR				
1. Administration	1,068,059	110,810	1,232,215	80,000
2. Payroll System	255,000			
Total State Auditor	1,323,059	110,810	1,232,215	80,000

The appropriation in item 2 is for the biennium and contains sufficient funds to complete an upgraded payroll system.

In addition to the funds appropriated above, the local assistance distribution of funds provided for in 19-10-305(1), 19-11-512, 19-11-606, and 19-12-301 is appropriated.

Revenues generated under provisions of 50-3-109 shall be deposited in the general fund.

DEPARTMENT OF JUSTICE				
1. General Operations	3,841,463	6,896,030	4,408,954	6,845,166
2. Coal Tax Defense	500,000			
3. County Attorney Payroll	450,220		450,220	
4. Motor Vehicle Registration Out-of-State Travel		640		640
Total Department of Justice	4,791,683	6,896,670	4,859,174	6,845,806

	Fiscal Year 1980		Fiscal Year 1981	
	General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds

The driver licensing program shall gradually replace patrolman-examiners with civilian-examiners. Any new hires, retirements, or terminations within field services shall be filled by patrolmen from the driver licensing program until all 26 positions have been transferred. Funding is provided to maintain high mileage patrol cars. These cars are to be used only by those examiners traveling between counties.

Item 1 contains highway earmarked funds of $3,994,136 in fiscal year 1980 and $3,681,995 in fiscal year 1981 for salaries of uniformed patrolmen according to 44-1-501.

The motor vehicle registration program shall mail motor vehicle registration notices notwithstanding other provisions of law.

Other appropriated funds in item 1 include $151,289 in fiscal year 1980 and $156,243 in fiscal year 1981 to support the antitrust division. Included in these amounts is revolving fund authority of $26,289 and $46,243 in the respective fiscal years for collections from court settlements. Collections exceeding these amounts shall be deposited to the general fund. This program will terminate by June 30, 1981, if collections are less than expenditures.

The appropriation in item 2 is for the biennium.

No more than $640 a year may be expended on out-of-state travel within the motor vehicle registration program.

Revenue from the sale of attorney general opinions and other nonbudgeted revenue is to be deposited to the general fund and not used to abate expenditures.

BOARD OF CRIME CONTROL	186,144	3,612,822	187,572	3,785,499

The appropriation of 'buy-in' money to the crime control division is made for the life of the grant to which it may be matched. All funds matched to funds in the federal and private grant clearance account as of June 30, 1979, are reappropriated for the matching period.

If general fund 'buy-in' money is not required because of passage of new federal legislation, such amounts shall revert to the general fund.

DEPARTMENT OF HIGHWAYS		
1. General Operations	6,450,141	6,607,839
2. Construction	101,772,693	106,229,865
3. Preconstruction	9,987,419	9,993,040
4. Maintenance	27,661,137	28,495,408
5. Motor Pool	610,708	653,634
6. Equipment	6,844,883	7,070,973

	Fiscal Year 1980		Fiscal Year 1981	
	General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds
7. Interstate Acceleration:				
a. Construction		44,832,392		55,755,550
b. Preconstruction		3,039,516		3,755,591
8. Railroad Planning		178,167		100,000
Total Department of Highways		201,377,056		218,661,900

Pursuant to 2-17-423(2)(b), executive agencies using privately owned vehicles on state business must attach a written authorization from the motor pool division to the transfer warrant claim before reimbursement for travel can be made.

The appropriation in item 6 contains $900,000 of highway earmarked funds a year for equipment purchases. Revolving funds are to be expended on equipment when possible in order to keep the fund balance within the revolving account at a minimum.

The appropriation in item 7 may not be spent for any other purpose. However, appropriation authority may be transferred from item 2 to item 7a and from item 3 to 7b.

Notwithstanding other provisions of this act, the budget director may approve the expenditure of funds in excess of the appropriations shown for highway construction.

DEPARTMENT OF REVENUE				
1. General Operations	10,039,862	1,824,214	9,989,241	1,798,246
2. Legal Counsel (Director's Office)	25,000		25,000	
3. Legal Counsel (Investigation)	100,000		100,000	
Total Department of Revenue	10,164,862	1,824,214	10,114,241	1,798,246

In addition to those amounts appropriated above, there is appropriated to the department funds necessary to maintain adequate inventories of liquor and wine and to operate the state liquor monopoly. The department shall deposit not less than $7.2 million in fiscal year 1979 and $13 million or more of liquor profits in the general fund during the 1981 biennium. Profits do not include proceeds from the liquor excise tax. The department has full authority to determine store operating hours and numbers and locations of liquor store employees and stores, provided that the pricing formulas in effect on January 1, 1979, are not raised and provided not less than $7.2 million in fiscal year 1979 and $13 million or more for the 1981 biennium of liquor profits are deposited in the general fund.

	Fiscal Year 1980		Fiscal Year 1981	
	General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds

It is legislative intent that nonprofitable state stores be closed or converted to agency stores in an orderly manner. A nonprofitable store is one that shows a net loss or is less profitable than if run at agency store status after reducing gross revenues by all state excise and license taxes and by deducting therefrom all normal operating expenses, which includes a pro rata share, based on gross sales, of central administrative office expenses.

The appropriation in item 1 includes funds for two field offices within the income tax division.

Other appropriated funds in item 1 include $100,000 a year of revolving fund authority for central supply. This amount may not be exceeded.

Fund balances within the various revolving funds are to be kept at a minimum operating level.

The appropriation in item 1 includes additional per diem expenses for the corporation tax division. Notwithstanding 2-18-501 and 2-18-502, actual per diem costs are to be paid to the audit staff when performing auditing duties in those cities designated by the department of administration as high-cost areas.

The county commissioners of the various counties and the governing bodies of local government units shall provide office space in county courthouses expenses in connection with the use of such space, including but not limited to rent, utilities, or janitorial services. The department shall use such space as offices for its agents: the county assessor, appraiser, and their respective staffs.

Any money remaining in the 'Property Tax Administration Account' (02802) is appropriated to the general fund and any further collections of delinquent taxes for that account are to be deposited directly to the general fund.

DEPARTMENT OF ADMINISTRATION				
1. General Operations	3,852,213	10,667,070	3,932,037	10,797,046
2. Data Processing Costs (Accounting Division)		614,607		582,061
3. Governor-Elect			30,000	
4. Communication Costs		2,514,596		2,766,761
5. Position Control	58,000			
6. Board of Housing		153,932		161,853
7. Workers' Compensation Judge		155,942		156,732

	Fiscal Year 1980		Fiscal Year 1981	
	General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds
8. Public Employees' Retirement	2,000	500,142	2,000	508,651
9. Teachers' Retirement		243,422		236,693
10. State Tax Appeals	222,872		158,647	
11. Transportation of Prisoners	85,000		85,000	
Total Department of Administration	4,220,085	14,849,711	4,207,684	15,209,797

Funds appropriated in item 2 are not to be spent for system enhancements but only for data processing expenses.

Funds appropriated in item 3 may be spent only in the event the present governor is not reelected.

The architecture and engineering program is funded solely from the long-range building account. Any fund balance at the end of a fiscal year shall be reverted to the long-range building account. This program shall assess a 1% charge on the cost of construction funded from accounts other than the long-range building account at the time a contract is let and this revenue shall be deposited to the long-range building account.

A separate revolving account shall be established for the information system division.

The following money is contained within other appropriations in this act and shall be transferred to the department of administration to pay increases in insurance costs.

Fish and Game ERA	21,592	26,925
Highway ERA 02138	222,991	321,536
Liquor RA 07154	5,900	7,489
University Auxiliary	128,316	128,316
Board of Housing RA 07005	2,593	2,872
Board of Investment RA 07260	200	200
General Service RA 07264	6,867	7,280
Data Processing RA 07159	7,000	7,000
Employment Security Division FPRA 04428	2,123	3,065
Workers' Compensation Division ERA 02140	164	321

	Fiscal Year 1980		Fiscal Year 1981	
	General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds
Professional and Occupational Licensing Central Services ERA 02001		441		551
		398,187		505,555
DEPARTMENT OF MILITARY AFFAIRS				
1. Adjutant General	602,796	343,323	621,740	351,670
2. Disaster and Emergency Services	133,928	231,412	132,528	229,623
Total Department of Military Affairs	736,724	574,735	754,268	581,293
TOTAL LEGISLATIVE, JUDICIAL, AND ADMINISTRATIVE	29,658,449	230,210,288	29,497,097	247,727,631

B. HUMAN SERVICES

DEPARTMENT OF COMMUNITY AFFAIRS				
1. General Operations	1,212,212	3,013,609	1,215,548	3,029,976
2. Research and Information Program	118,016	107,096	119,124	109,961
Total Department of Community Affairs	1,330,228	3,120,705	1,334,672	3,139,937

Other appropriated funds in item 1 contain $43,580 in fiscal year 1980 and $44,452 in fiscal year 1981 from revenue generated under the provisions of 15-70-204 relating to other than aviation gasoline and $332,000 in fiscal year 1980 and $275,000 in fiscal year 1981 from revenues generated under the provisions of 15-35-103 and as allocated by 15-35-108(2)(f).

General fund money appropriated in item 2 shall revert to the extent that revenues from other sources exceed $107,096 in fiscal year 1980 and $109,961 in fiscal year 1981.

The accounting and management systems program shall end June 30, 1981. No budget request for this program will be submitted to the 1981 legislature.

	Fiscal Year 1980		Fiscal Year 1981	
	General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds
DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES				
	2,527,946	14,903,883	2,568,719	14,836,348

Other appropriated funds include $118,000 each year received under authority of P.L. 93-641, which may be expended only if granted or contracted to local health departments.

Funds included in the above appropriations for study of nuclear radioactivity in the Butte area are not to be used to fund licensing programs.

DEPARTMENT OF LABOR AND INDUSTRY				
1. Employment Security Division		12,223,654		12,276,009
2. Workers' Compensation Division	948,536	3,573,692	945,098	3,633,801
3. Human Rights Division	65,091	100,000	105,091	60,000
4. Personnel Appeals Division	254,542	8,000	259,367	8,000
5. Labor Standards Division	327,364	406,827	336,754	418,305
6. Employment and Training Division		1,157,853		1,202,328
Total for Department of Labor and Industry	1,595,533	17,470,026	1,646,310	17,598,443

In item 3, general fund money shall revert in the amount other appropriated funds exceed the amounts shown for each fiscal year.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES				
1. General Operations	34,797,446	17,826,298	37,191,559	18,094,781
2. Medicaid State Institutional Reimbursements	3,323,087		3,505,080	
Total Department of Social and Rehabilitation Services	38,120,533	17,826,298	40,696,639	18,094,781

The appropriations in item 1 provide for increases in payments to foster parents and foster group homes of not less than 7 ¼ % in fiscal year 1980 and 6 ¾ % in 1981.

	Fiscal Year 1980		Fiscal Year 1981	
	General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds

The appropriation in item 1 allows the addition of five eligibility staff to be employed in selected areas of the state. The department will report on the cost effectiveness of the added staff to the next legislature.

No funds included in these appropriations may be allocated for support of or use by the developmental disabilities Montana advocacy program.

The veterans' affairs division is not authorized to hire any new individuals during fiscal years 1980 or 1981. Positions that become vacant during the biennium shall remain vacant.

The board of veterans' affairs and veterans' affairs division shall study alternatives for providing services to veterans that are more comprehensive and less expensive. The results of these studies shall be reported to the next legislature.

If appropriated funds are not sufficient to provide medical care for all eligible persons, services shall be eliminated in the following order:

1. For both categorically and medically needy adults:

a. visual testing and eye glasses,

b. dental services,

c. ancillary medical services, including private duty nursing and respite care,

d. podiatry services,

e. physical therapy and occupational therapy,

f. speech and hearing therapy,

g. prosthetic devices,

h. mental health clinic services and psychological services,

i. inpatient psychiatric facility services;

2. drugs and medical supplies for medically needy adults;

3. intermediate nursing home care for medically needy adults;

4. institutional care for mentally retarded medically needy adults;

5. drugs and medical supplies for categorically needy adults;

6. intermediate nursing home care for categorically needy adults;

7. institutional care for mentally retarded categorically needy adults;

8. basic medical services for medically needy adults (inpatient hospital services, physicians services, outpatient services, skilled nursing home care, laboratory and x-ray services, home health services, transportation to medical services, and family planning services);

	Fiscal Year 1980		Fiscal Year 1981	
	General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds
9. basic medical services for categorically needy adults (inpatient hospital services, physicians services, outpatient services, skilled nursing home care, laboratory and x-ray services, home health services, transportation to medical services, and family planning services) and all services considered necessary for children.				
TOTAL HUMAN SERVICES	43,574,240	53,320,912	46,246,340	53,669,509
C. NATURAL RESOURCES AND BUSINESS REGULATION				
DEPARTMENT OF AGRICULTURE				
1. Centralized Services	68,632	286,450	80,393	251,804
2. Hail Insurance	1,600	106,885	1,650	108,809
3. Crop and Livestock Reporting	36,317	13,500	43,477	13,900
4. Wheat Research and Marketing		505,987		510,419
5. Transportation	81,414	13,500	81,593	13,900
6. Environmental Management	178,750	709,990	180,547	612,152
7. Plant Industry	307,683	365,119	301,726	343,154
Total Department of Agriculture	674,396	2,001,431	689,386	1,854,138
Other appropriated funds in item 1 include $132,242 in fiscal year 1980 and $106,613 in fiscal year 1981 of old west regional commission grants to be administered by the department.				
DEPARTMENT OF BUSINESS REGULATION				
1. Centralized Services	103,115	38,138	103,442	38,259
2. Weights and Measures	267,080		272,891	
3. Financial Division	466,313		450,840	
4. Milk Control		211,982		214,602
5. Consumer Protection	92,234	31,078	92,922	31,307
Total Department of Business Regulation	928,742	281,198	920,095	284,168

	Fiscal Year 1980		Fiscal Year 1981	
	General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds
DEPARTMENT OF FISH AND GAME				
1. Centralized Services		2,210,776		2,139,433
2. Ecological Services		966,696		914,396
3. Fisheries		2,143,374		2,076,962
4. Enforcement		2,410,772		2,417,200
5. Wildlife		2,555,788		2,588,111
6. Parks and Recreation	492,290	1,432,762	492,106	1,364,355
7. Conservation Education		721,803		738,726
8. Special Staff		198,015		199,340
9. Administration		174,476		177,005
Total Department of Fish and Game	492,290	12,814,462	492,106	12,615,528

Should an emergency situation arise, the department may adjust the allocations between divisions only after notifying the budget office of the governor and the legislative finance committee.

The appropriation authorizes 33.31 new FTE's in fiscal year 1980 and 28.17 in fiscal year 1981. Only 6.91 FTE's shall be considered permanent staff. The remaining new positions result from grants and contracts the department has received and shall be eliminated at the end of the contract period or June 30, 1981, whichever occurs first.

Department expenditures for out-of-state travel are not to exceed $30,000 each year of the biennium.

Funds for an additional staff attorney are included in the centralized services budget. It is the intent of the legislature that the department utilize this position for regular legal advice and normal trial responsibilities. Funds are also included for contracting legal services in cases requiring a specialist.

The department is authorized to establish a core environmental impact statement team. Expenditures of earmarked funds for support of the team shall be used only when federal and private funds are not available.

Forty thousand dollars is appropriated each year in addition to normal inflationary increases to insure full operation of all fish hatcheries.

The appropriation is to be allocated among revenue sources as follows:

	Fiscal Year 1980		Fiscal Year 1981	
	General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds
Fish and Game ERA 02131		8,227,503		8,336,509
Fish and Game FPRA 04522		3,066,174		2,846,415
Snowmobile Fuel Tax ERA 02017		188,114		193,123
Coal Tax Acquisition and Operation ERA 02036		80,908		79,089
State Parks Misc. 02204		216,742		219,016
State Parks ERA 02205		386,920		399,195
Motorboat Certificate ERA 02206		36,161		36,258
Snowmobile Registration ERA 02207		40,000		40,000
Fishing Access Site Acquisition and Operation ERA 02305		75,778		80,467
State Parks FPRA 04186		105,345		107,376
Motorboat Safety FPRA 04820		45,804		26,913
Disaster Assistance 04941		100,000		
Montana Outdoors		245,013		251,167
General Fund	492,290		492,106	
Total Department of Fish and Game	492,290	12,814,462	492,106	12,615,528
DEPARTMENT OF STATE LANDS				
1. Central Management	572,018	350,273	579,547	54,922
2. Reclamation	390,075	5,245,096	389,803	6,234,013
3. Land Administration	193,282		196,393	
4. Resource Development		422,016		422,328
Total Department of State Lands	1,155,375	6,017,385	1,165,743	6,711,263

	Fiscal Year 1980		Fiscal Year 1981	
	General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds
The inventory of state lands having recreation potential will be completed and terminated by June 30, 1981.				
DEPARTMENT OF LIVESTOCK				
1. Central Services	51,755	207,023	52,234	208,938
2. Disease Control		598,224		585,696
3. Diagnostic Laboratory	228,163	228,163	231,904	231,904
4. Milk and Egg	135,519	13,000	136,141	13,000
5. Inspection and Control		1,234,032		1,262,027
6. Predator Control		192,912		196,709
7. Rabies and Rodent Control	47,446	15,000	48,063	15,000
Total Department of Livestock	462,883	2,488,354	468,342	2,513,274
Funding for one FTE and related expenses to automate record systems for the disease control and inspection and control programs may not be considered as an ongoing expense beyond the 1980-1981 biennium. General fund support for the diagnostic laboratory may not exceed 50% of total expenses unless the services directly affecting public health are significantly increased.				
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION				
1. Centralized Services	948,497	222,016	968,520	227,369
2. Conservation District Supervision	175,714	119,500	176,476	120,000
3. Oil and Gas Regulation		417,891		419,342
4. Water Resources and Planning	1,617,769	918,902	1,627,245	1,469,661
5. Forest Resources	1,910,705	1,992,803	1,937,229	1,987,943
6. Energy Planning	325,108	1,833,558	328,151	1,880,498
Total Department of Natural Resources and Conservation	4,977,793	5,504,670	5,037,621	6,104,813

	Fiscal Year 1980		Fiscal Year 1981	
	General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds

Two full-time positions are added in centralized services to administer and audit federal pass-through funds. These positions will be eliminated when federal funds supporting the positions cease.

The conservation district supervision program is appropriated $38,000 each year of the biennium to conduct a water quality nonpoint pollution study in cooperation with the health department and conservation districts. No positions are to be added by the department with these funds.

No general funds are authorized for capital outlay or capital equipment for the Daly Ditch irrigation project.

Included in the 1980 forestry division appropriation is a biennial appropriation of $14,960 for expenses and membership dues for the Western States Legislative Forestry Task Force. The funds are to be administered by the forestry division and used only for expenses incurred by task force members.

The forest resources program is appropriated $60,000 each year of the biennium for forest fire suppression. The department is authorized to incur expenses for fire suppression beyond the $60,000 appropriation and request funds for reimbursement by a supplemental request in the event of a serious fire season.

All positions in the energy program authorized to administer and develop the Montana Energy Conservation Plan shall continue only so long as federal funds supporting the positions are available. The energy division may not expend general fund money for development of energy demand projections or estimates.

PUBLIC SERVICE COMMISSION	890,415	18,900	880,528	19,310

As vacancies occur in the transportation division, the positions shall be transferred to the utility division for utility rate analysis if possible.

DEPARTMENT OF PROFESSIONAL AND OCUPATIONAL LICENSING				
1. Centralized Services		116,921		118,652
2. Architects		12,425		12,771
3. Athletics		1,852		1,978
4. Barbers		19,956		20,109
5. Chiropractors		6,819		7,030
6. Cosmetologists		70,308		70,724

	Fiscal Year 1980		Fiscal Year 1981	
	General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds
7. Dentists		25,573		26,032
8. Electricians		45,866		46,205
9. Engineers and Surveyors		59,428		62,597
10. Hearing Aid Dispensers		2,996		3,001
11. Horse Racing		113,226		120,242
12. Landscape Architects		5,953		6,254
13. Massage Therapists		2,594		2,619
14. Medical Examiners		110,108		113,003
15. Morticians		9,191		9,102
16. Nursing		115,342		112,439
17. Nursing Home Administrators		14,857		15,078
18. Optometrists		8,666		8,840
19. Osteopaths		629		638
20. Pharmacists		63,896		65,211
21. Plumbers		41,522		42,082
22. Private Investigators		2,863		2,906
23. Podiatrists		1,018		1,064
24. Psychologists		4,545		4,774
25. Public Accountants		52,412		54,042
26. Radiologic Technologists		7,665		7,627
27. Real Estate		177,728		182,000
28. Sanitarians		2,033		2,080
29. Speech Pathologists and Audiologists		6,079		6,179
30. Veterinarians		13,235		12,867
31. Water Well Contractors		12,039		11,863

	Fiscal Year 1980		Fiscal Year 1981	
	General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds
Total Department of Professional and Occupational Licensing		1,127,745		1,150,009
TOTAL NATURAL RESOURCES AND BUSINESS REGULATION	9,581,894	30,254,145	9,653,821	31,252,503

D. DEPARTMENT OF INSTITUTIONS

CENTRAL OFFICE				
1. Director's Staff	216,077		217,794	
2. Management Services Division	751,627	64,328	775,053	64,416
3. Alcohol and Drug Abuse Division				
a. Alcohol — Central Office Administration		560,053		560,053
b. Alcohol and Drug Abuse — Community Programs		1,449,945		1,562,630
c. Southwestern Montana Drug Program	143,082	318,423	147,220	327,683
4. Mental Health Division				
a. Central Office Administration	132,201	255,453	133,202	261,474
b. Mental Health Community Programs	3,266,057	148,191	3,499,211	163,191
5. Corrections Division	2,420,848	70,940	2,460,206	73,657
6. Prison Industries Program		77,214		44,514
Total Central Office	6,929,892	2,944,547	7,232,686	3,057,618

The funds listed below, generated under provision of 16-1-404 are included within the appropriation in items 3a and b.

Department of Justice		84,379	71,936	
Glasgow Residential Treatment Program		314,000	300,000	

	Fiscal Year 1980		Fiscal Year 1981	
	General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds
Corrections Substance Abuse Project		31,756		51,387
Community Alcohol Programs		410,964		524,364
Alcohol-Central Office Administration		81,880		81,880
Total		$922,979		$1,029,567

There may be no net increase in number of community alcohol programs without specific legislative approval.

The general fund appropriation in item 3c shall be used to match federal funds from the national institute on drug abuse. The appropriation in fiscal year 1981 is contingent on the following:

a. the department receiving written notice that the federal match will remain at least 60%;

b. the department receiving written notice that the federal funds can be used to expand services to other geographic areas of the state without additional general fund support; and

c. the department developing a plan for expanded drug services through existing alcohol programs without increasing general fund support.

If these conditions are not met, the department shall phase out the operation of the southwestern Montana drug program by June 30, 1981.

Included in item 4a are general funds to support six permanent full-time equivalent positions. Nine full-time positions, to be maintained only for the duration of the community support project and the manpower federal grant, are provided within other appropriated funds.

The department of institutions shall assure that the mental health centers are reporting all financial transactions through a uniform accounting system including a single chart of accounts and accounting manual. The mental health centers shall provide the same detailed financial information required of all state agencies in support of budget requests of the 1981 legislature.

No money appropriated to the department for mental health services may be disbursed to the centers unless the director of the department of institutions certifies to the legislative finance committee that the mental health centers are recording and reporting financial information uniformly.

At any time during the biennium, if the director of the department of institutions determines that a mental health center is not reporting in a manner consistent with the uniform accounting system, he shall suspend allocation of state funds until the center is in total compliance.

	Fiscal Year 1980		Fiscal Year 1981	
	General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds

Included within other appropriated funds in item 5 is $93,287 for the biennium of grants from the board of crime control which the board shall make for shelter care services.

The department may transfer general fund appropriations from the 45-day juvenile evaluation program in Great Falls to mountain view school to operate a 45-day evaluation program.

The Glasgow residential treatment program shall revert state alcohol funds in the amount third party reimbursements exceed $1,094,121 in the 1981 biennium.

Item 6 is a revolving fund for operating an industry program at the state prison.

BOULDER RIVER SCHOOL AND HOSPITAL

7,128,782	143,437	6,860,844	137,129

The appropriation is adequate to provide one full-time equivalent direct care staff per patient. Direct care staff includes registered nurses, licensed practical nurses, cottage life supervisors, nurses' aides, and habilitation aides. It is the intent of the legislature that units three and five be permanently closed by June 30, 1981.

CENTER FOR THE AGED

1,476,781	3,000	1,493,765	3,000

Included within the appropriation is $10,100 each year for the biennium for automated data systems which do not include word processing or on-line inquiry to the state accounting system. The department represents that this expenditure will serve to increase reimbursement revenues by at least $40,000 annually.

EASTMONT TRAINING CENTER

1,242,936	45,830	1,241,086	45,961

GALEN STATE HOSPITAL

3,346,743	1,220,021	3,504,892	1,249,433

The alcohol program shall be evaluated by the end of fiscal year 1980.

Included in other appropriations are $1,219,021 in fiscal year 1980 and $1,248,433 in fiscal year 1981 generated under provisions of 16-1-404. Funds in the amount of economies realized in the operation of the alcohol program may be transferred into community alcohol programs.

MOUNTAIN VIEW SCHOOL

1,058,310	84,421	1,089,947	70,764

The legislature is aware of additional other appropriated funds that may become available to the school. The general fund appropriation is reduced in the amount such other funds become available.

PINE HILLS SCHOOL

	Fiscal Year 1980		Fiscal Year 1981	
	General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds
1. Personal Services	1,733,476		1,741,015	
2. Operating and Equipment	159,950	203,526	189,998	203,526
Total Pine Hills School	1,893,426	203,526	1,931,013	203,526
STATE PRISON				
1. General Operations	5,381,565	477,026	5,266,327	477,026
2. Kitchen Equipment	44,000			
3. Ranch		980,626		1,013,780
Total State Prison	5,425,565	1,457,652	5,266,327	1,490,806

The intent of the legislature is to continue operation of the prison ranch on a probationary basis through the 1981 biennium. Capital expenditures for minor replacement only are appropriated. The proposed irrigation system is not funded. The department shall develop an accounting system for the ranch by July 1, 1979, which accurately portrays the revenues, costs, profits, and losses of each operating component of the ranch. Any funds generated from reducing the livestock inventory shall be held in reserve. Unless the ranch operation clearly demonstrates that it can operate profitably, the operation should be terminated and the land leased.

The department shall present a plan to provide work opportunities for prison inmates to the 1981 legislature.

The department shall immediately deposit all money received in connection with oil and gas exploration and drilling activities and timber sales in the general fund.

SWAN RIVER YOUTH FOREST CAMP	541,254	31,600	544,379	31,600
VETERANS' HOME	126,624	664,655	106,893	697,915
WARM SPRINGS STATE HOSPITAL	9,042,643	236,028	8,921,647	236,028
BOARD OF PARDONS	78,470		78,482	

Board members may receive compensation at $25 a day for as many as 6 days a month for preparation.

MENTAL DISABILITIES BOARD OF VISITORS	34,455		34,616	

	Fiscal Year 1980		Fiscal Year 1981	
	General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds
TOTAL DEPARTMENT OF INSTITUTIONS	38,325,881	7,034,717	38,306,577	7,223,780
E. OTHER EDUCATION				
BOARD OF PUBLIC EDUCATION				
1. Board Costs				
a. Office — Administration	65,475		65,949	
b. Fire Service Training Academy	123,679	3,750	123,858	
2. Billings Center				
a. Personal Services	392,422	405,112	396,582	452,650
b. Operations	146,777	151,523	134,162	153,129
c. Capital Expenditures	12,966	13,386	12,953	14,786
3. Butte Center				
a. Personal Services	471,393	300,397	503,622	315,752
b. Operations	49,587	31,599	53,339	33,441
c. Capital Expenditures	12,413	7,911	13,397	8,399
4. Great Falls Center				
a. Personal Services	453,167	322,085	483,584	342,698
b. Operations	84,348	59,949	90,269	63,971
c. Capital Expenditures	12,797	9,097	13,738	9,735
5. Helena Center				
a. Personal Services	768,289	377,803	825,977	392,095
b. Operations	174,798	85,957	188,466	89,465
c. Capital Expenditures	22,609	11,118	24,633	11,693
6. Missoula Center				
a. Personal Services	768,501	477,924	817,247	507,687
b. Operations	200,583	124,741	214,078	132,989
c. Capital Expenditures	23,246	14,457	25,084	15,582

	Fiscal Year 1980		Fiscal Year 1981	
	General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds
Total Board of Public Education	3,783,050	2,396,809	3,986,938	2,544,072

The board of public education shall be provided office space free of charge in the building leased by the state and paid from the appropriation to the commissioner of higher education. The fire service training school shall be provided office, classroom, and storage space in the Great Falls vocational-technical center at no charge.

The board of public education may transfer funds between operations and capital within each vocational education center or between vocational education centers. No funds appropriated herein for operations and capital expenditures at the vocational education centers may be transferred to personal services. Personal services include salaries, wages, and employee benefits.

SUPERINTENDENT OF PUBLIC INSTRUCTION

1. Chief State School Officer	1,587,590	2,717,628	1,609,364	2,809,355
2. School Lunch	665,400		729,600	
3. School Transportation	3,557,000		3,852,000	
4. Adult Basic Education	106,000		112,000	
Total Superintendent of Public Instruction	5,915,990	2,717,628	6,302,964	2,809,355

Other appropriated funds in item 1 contain $284,263 in fiscal year 1980 and $344,376 in fiscal year 1981 for internal transfers of indirect costs. In the amount indirect costs in excess of these amounts are recovered, general fund money shall revert.

All revenues received in the state traffic education account under provisions of 20-7-504 are appropriated to be distributed as provided in 20-7-506.

PUBLIC SCHOOL SUPPORT

1. Foundation Support	24,530,000		25,410,000	
2. Permissive Support	13,320,000	8,500,000	14,550,000	8,500,000
3. Special Education Emergency Contingency	500,000		500,000	
Total Public School Support	38,350,000	8,500,000	40,460,000	8,500,000

All revenues received under provisions of 20-9-343 for state equalization aid are appropriated.

	Fiscal Year 1980		Fiscal Year 1981	
	General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds

Within the appropriations in items 1 and 2 and funds received under provisions of 20-9-343 there are $25,470,000 in fiscal year 1980 and $21,790,000 in fiscal year 1981 to support the maximum-budget-without-a-vote for special education. The appropriation in item 3 is for emergencies that may arise in special education programs at local districts. A district's board of trustees may apply for an allocation from these funds by presenting a child study team report and an individual educational plan for each child relating to the unforeseen expense and a current listing of programs, caseloads, and related costs to the superintendent of public instruction. The appropriation in item 3 is for the biennium and the specific amounts may be transferred between fiscal years.

Notwithstanding other provisions of law, the superintendent may not approve a maximum-budget-without-a-vote for special education which, in the aggregate, exceeds $48,260,000 in the 1981 biennium.

The appropriation in item 2 is made to the permissive levy account and notwithstanding 20-9-352 shall be used to offset a permissive levy deficiency.

Other appropriated funds in item 2 are revenue received by the state under provisions of P.L. 94-488, the federal Revenue Sharing Extension Act. Revenue sharing received by the state in excess of the amounts appropriated may be spent only to reduce levies authorized under provisions of 20-9-351 and 20-9-352.

The appropriations in items 1 and 2 include $15,000 a year which may be used for the special olympics and $685,108 in fiscal year 1980 and $714,308 in fiscal year 1981 which may be used by the office of superintendent of public instruction for purchase of audiological services.

Federal funds to support special education programs in excess of $5.95 million during the 1981 biennium shall be placed in a reserve and not spent until appropriated by the 1981 legislature.

ADVISORY COUNCIL FOR VOCATIONAL EDUCATION		75,000		75,000
STATE LIBRARY COMMISSION	317,000	267,284	317,000	275,470

Pay raises shall be paid with 54% general fund and 46% federal funds. LSCA Title I and Title III funds received in excess of other appropriated funds and in excess of federal funds needed to meet 46% of employee pay raises shall be passed through as grants to local libraries.

MONTANA HISTORICAL SOCIETY				
1. Administration, Library, Archives, and Museum Program	407,129	108,352	398,409	110,217

	Fiscal Year 1980		Fiscal Year 1981	
	General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds
2. Historic Sites Program	45,819	45,819	46,025	46,025
3. Magazine Program	13,059	121,110	4,539	133,221
4. Merchandising Program		84,268		84,761
a. Goods Purchased for Resale		126,000		132,300
Total Montana Historical Society	466,007	485,549	448,973	506,524

Of other appropriated funds for the museum program, $20,000 is restricted each year to contract artifact and painting conservation.

Appropriation authority for goods purchased for resale must be expended only for that purpose.

The office of budget and program planning shall monitor all expenditures for compliance with the appropriation.

SCHOOL FOR THE DEAF AND BLIND	1,010,700	602,702	1,059,633	573,317

Notwithstanding section 20-10-142, transportation costs for students who reside outside Cascade county who attend the school for the deaf and blind shall be paid only by the school for the deaf and blind.

MONTANA ARTS COUNCIL				
1. General Operations	51,838	186,269	51,505	193,142
2. Local Community Grants	19,198		20,275	
Total Montana Arts Council	71,036	186,269	71,780	193,142

Administrative operating costs of the council and its staff shall be supported equally between federal funds and state general fund.

The general fund grant money is to be used for helping local communities match federal grant funds.

TOTAL OTHER EDUCATION	49,913,783	15,231,241	52,647,288	15,476,880

F. HIGHER EDUCATION

For units of the university system other than the office of the commissioner of higher education, the appropriations made under the column heading 'Other Appropriated Funds' are from funds within current unrestricted funds unless otherwise indicated.

	Fiscal Year 1980		Fiscal Year 1981	
	General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds

All funds, other than plant funds and those specifically appropriated herein, may be spent and are appropriated contingent upon approval by the board of regents by July 1 of each year of a comprehensive program budget containing a detail of revenues and expenditures and anticipated fund balances of current funds, loan funds, and endowment funds. All movement of funds between the current unrestricted subfund and the designated subfund accounting entities shall be clearly identified in the state budgeting and accounting system.

Programs for the university budgets include instruction, organized research, public service, academic support, student services, institutional support and operation and maintenance of plant.

Included within other appropriated funds to the six institutions is the sum of $9,915,528 in fiscal year 1980 and $10,393,944 in fiscal year 1981 from revenues generated under the provisions of House Bill 191, 46th legislature.

Unit	Student-Faculty Ratio	Average Faculty Salary and Health Insurance Fiscal 1980	Fiscal 1981
Montana State University	19:1	21,130	22,457
University of Montana	19:1	21,130	22,457
Eastern Montana College	19:1	19,017	20,211
Western Montana College	16.6:1	19,017	20,211
Northern Montana College	16:1	19,017	20,211
Montana College of Mineral Science and Technology	16:1	19,968	21,222

The student-faculty ratios and average faculty salaries, including $480 in fiscal 1980 and $600 in fiscal 1981 for health insurance, shown above are used in determining appropriations to the respective units. The board of regents is authorized to transfer the appropriations for personal services between the six universities and colleges in order to maintain the intended faculty salaries and student-faculty ratios.

BOARD OF REGENTS	20,127		20,225	

The legislature intends to provide only one out-of-state trip, except in extraordinary circumstances, for one regent member during each fiscal year.

COMMISSIONER OF HIGHER EDUCATION				
1. Office Administration	534,787	41,500	567,385	41,900
2. WAMI	1,268,866		1,351,114	

	Fiscal Year 1980		Fiscal Year 1981	
	General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds
3. WICHE-Student Assistance Program	778,582	641,918	844,082	641,918
4. WICHE-Administrative Dues	39,000		39,000	
5. University of Minnesota — Rural Dentistry	164,900		164,800	
6. Federal Incentive Matching Money	150,297	299,703	150,297	399,703
7. NDSL	100,000		100,000	
Total Commissioner of Higher Education	3,036,432	983,121	3,216,678	1,083,521

The above appropriations may be spent only for the purposes specified.

Other appropriated funds in item 3 are generated under provisions of 90-6-211.

COMMUNITY COLLEGES

1. Miles Community College	512,350		551,907	
2. Dawson Community College	516,345		553,311	
3. Flathead Community College	911,395		975,530	
Total Community Colleges	1,940,090		2,080,748	

Funds generated from student fees and mandatory mill levies in excess of the funds necessary to provide 35% of the respective college's operating budget shall be used to reduce the following year's mandatory mill levy provided in 20-15-303(b).

The above appropriations provide 65% of the respective operating budgets that shall be approved by the board of regents pursuant to 20-15-302 and 20-15-303. The remaining 35% of the operating budget shall be financed from student tuition and fees and a mandatory mill levy as provided in 20-15-303. The board of trustees of a community college district may elect to adopt a general fund budget in excess of 100% of the operating budget specified herein, only with the approval of an additional mill levy proposition as provided in 20-15-306.

MONTANA STATE UNIVERSITY

1. Personal Services	11,557,740	8,718,996	12,667,769	9,023,617

	Fiscal Year 1980		Fiscal Year 1981	
	General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds
2. Operating Expense	2,036,078	1,535,989	2,191,447	1,561,030
3. Capital	626,229	472,419	680,107	484,460
4. Scholarships and Fellowships	315,828	212,592	320,559	207,861
Total Current Unrestricted Subfund	14,535,875	10,939,996	15,859,882	11,276,968
5. Designated Subfund				
a. Service Shop		1,438,639		1,534,225
b. Motor Pool		152,830		162,194
c. Computing Center		736,621		787,027
Total Current Designated Subfund		2,328,090		2,483,446

Federal nursing capitation of $109,431 in fiscal year 1980 and $116,517 in fiscal year 1981 is included above in other appropriated funds.

UNIVERSITY OF MONTANA

1. Personal Services	9,786,515	6,634,001	10,734,933	6,826,481
2. Operating Expense	2,434,761	1,641,939	2,610,490	1,651,988
3. Capital	556,892	369,243	604,949	376,550
4. Scholarships and Fellowships	333,779	220,594	343,220	211,153
Total Current Unrestricted Subfund	13,111,947	8,865,777	14,293,592	9,066,172
5. Designated Subfund				
a. Service Center		919,447		981,201
b. Computing Center		800,796		846,799
c. Office Stores		190,375		202,431
d. Motor Pool		160,290		170,699
Total Current Designated Subfund		2,070,908		2,201,130

FORESTRY AND CONSERVATION EXPERIMENT STATION

	Fiscal Year 1980		Fiscal Year 1981	
	General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds
1. Personal Services	216,467		231,217	
2. Operations	53,964		56,446	
3. Capital	2,778		2,945	
Total Forestry and Conservation Experiment Station	273,209		290,608	
EASTERN MONTANA COLLEGE				
1. Personal Services	3,659,163	1,970,318	3,974,421	2,047,429
2. Operating Expense	1,175,974	633,216	1,274,226	656,420
3. Capital	165,188	88,948	177,794	91,591
4. Scholarships and Fellowships	72,095	108,517	107,534	73,078
Total Current Unrestricted Subfund	5,072,420	2,800,999	5,533,975	2,868,518
5. Designated Subfund				
a. Services Center		500,622		536,147
b. Computing Center		371,908		396,205
c. Motor Pool		22,779		24,146
d. Stores		70,401		74,729
Total Current Designated Subfund		965,710		1,031,227
MONTANA COLLEGE OF MINERAL SCIENCE AND TECHNOLOGY				
1. Personal Services	1,596,449	1,064,299	1,740,001	1,112,459
2. Operating Expense	314,859	209,906	338,430	216,373
3. Capital	10,960	123,165	25,639	116,533
4. Scholarships and Fellowships	56,986	37,991	56,986	37,991
5. Supplemental	142,967		142,967	

	Fiscal Year 1980		Fiscal Year 1981	
	General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds
Total Current Unrestricted Subfund	2,122,221	1,435,361	2,304,023	1,483,356
6. Designated Subfund				
a. Motor Pool		34,000		34,000
b. Computing Center		60,289		66,022
Total Current Designated Subfund		94,289		100,022
NORTHERN MONTANA COLLEGE				
1. Personal Services	1,875,099	767,103	2,033,752	792,133
2. Operating Expense	413,233	150,160	445,743	154,407
3. Capital	88,090	35,980	94,691	36,824
4. Scholarships and Fellowships	63,598	44,602	67,805	40,395
Total Current Unrestricted Subfund	2,440,020	997,845	2,641,991	1,023,759
5. Designated Subfund				
a. Service Shop		156,703		167,431
b. Computing Center		84,242		89,921
c. Motor Pool		12,597		19,091
Total Current Designated Subfund		253,542		276,443
WESTERN MONTANA COLLEGE				
1. Personal Services	1,134,537	513,780	1,230,054	529,679
2. Operating Expense	204,784	86,851	221,537	89,463
3. Capital	28,792	13,039	30,994	13,347
4. Scholarships and Fellowships	26,533	12,095	27,454	11,174
Total Current Unrestricted Subfund	1,394,646	625,765	1,510,039	643,663
BUREAU OF MINES				

	Fiscal Year 1980		Fiscal Year 1981	
	General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds
1. Personal Services	475,004	58,708	505,256	68,899
2. Operating Expense	155,813	19,258	159,781	21,788
3. Capital	38,254	4,728	40,094	5,467
4. Water Analyzer	105,057			
5. Transfer to MCMST	156,716	33,788	181,607	20,328
Total Bureau of Mines	930,844	116,482	886,738	116,482
COOPERATIVE EXTENSION SERVICE				
1. Personal Services	1,006,769	1,510,153	1,157,498	1,534,357
2. Operating Expense	187,186	280,779	204,044	270,476
3. Capital	3,163	29,457	18,000	15,556
Total Current Unrestricted Subfund	1,197,118	1,820,389	1,379,542	1,820,389
4. Designated Subfund				
a. Multilith		195,491		209,743

Any Smith-Lever and Title V rural development funds received in excess of $1,820,389 annually shall cause an equal amount of general fund money to revert. All Smith-Lever and Title V rural development funds available to the cooperative extension service are to be expended each fiscal year.

AGRICULTURE EXPERIMENT STATION				
1. Personal Services	2,249,403	1,817,103	2,625,911	1,750,607
2. Operating Expense	657,182	536,058	758,110	505,406
3. Capital	98,487	75,184	96,645	87,454
4. United States Range Station		707,227		759,835
5. Hanson and Denzer Property Payments	28,649			
Total Agriculture Experiment Station	3,033,721	3,135,572	3,480,666	3,103,302

From House Bill 282 of the 45th legislature there is $18,750 of general fund money reappropriated for the last payment on the Denzer property.

	Fiscal Year 1980		Fiscal Year 1981	
	General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds

Any Hatch and regional research funds received that, when added together, exceed $1,253,737 annually shall cause an equal amount of general fund money to revert. All Hatch and regional research funds available to the agriculture experiment station are to be expended each fiscal year. All interest earned on earmarked revenue belongs to the state general fund. All earmarked revenue funds over $100,000 ending fund balance on June 30, 1981, shall revert to the state general fund.

The United States range station expenditures may not exceed those appropriated and the United States range station current operating account shall revert all funds over $100,000 ending balance on June 30, 1981, to the state general fund.

The designated cattle replacement fund expenditures may be used only to replace cattle and to transfer funds to the United States range station current unrestricted subfund.

TOTAL HIGHER EDUCATION	49,108,670	37,629,337	53,498,707	38,788,141"

And as amended, do pass. Report adopted.

JUDICIARY (Scully, Chairman): 3/16/79

SB 217, third reading copy, be amended as follows:

1. Title, line 4.
Following: "PROVIDE"
Strike: "AN EXCLUSIVE"
Insert: "A"

2. Title, line 6.
Following: "A"
Insert: "SUBSTANTIAL"

3. Title, line 8.
Following: "STATES"
Strike: "AND"
Insert: ";"
Following: "ARTICLE II,"
Strike: "SECTION"
Insert: "SECTIONS 10 OR"

4. Title, line 9.
Following: "CONSTITUTION"
Strike: ", IN LIEU OF"
Insert: "; OR THE LAWS OF MONTANA RELATING TO SEARCH AND SEIZURE AND TO REVISE THE EXCLUSIONARY RULE, RELATING TO THE"

5. Title, line 13.
Following: line 12
Strike: "SECTION"
Insert: "SECTIONS"
Following: "46-5-104"

Insert: "AND 46-13-302"

6. Title, lines 13 and 14.
Strike: "; AND TO REPEAL SECTION 46-13-302, MCA"

7. Page 1, line 18.
Following: "through"
Strike: "14"
Insert: "13"

8. Page 1, line 22.
Following: "search"
Strike: "and"
Insert: "or"
Following: "damages"
Insert: "under [sections 1 through 13]"

9. Page 1, line 23.
Following: "search"
Strike: "and"
Insert: "or"
Following: "in"
Insert: "substantial"

10. Page 1, line 24.
Following: "constitution"
Strike: "or"
Insert: ";"
Following: "Article II,"
Strike: "section"
Insert: "sections 10 or"

11. Page 1, line 25.
Following: "constitution"
Insert: ";"

12. Page 2, line 2.
Strike: "for use in a criminal prosecution"

13. Page 2, line 3.
Following: "in"
Insert: "nonsubstantial"

14. Page 2, line 4.
Following: "constitution"
Strike: "or"
Insert: ";"
Following: "Article II,"
Strike: "section"
Insert: "sections 10 or"

15. Page 2, line 5.
Following: "constitution"
Insert: ";"

16. Page 2, line 7.
Following: "such"
Insert: "nonsubstantial"

17. Page 2, lines 8 through 14.
Following: line 7
Strike: line 8 through line 14 in their entirety

Insert: "SECTION 3. THERE IS A NEW MCA SECTION THAT READS:

Determination of substantial violation. (1) A violation of the fourth amendment of the United States constitution; Article II, sections 10 or 11, of the Montana constitution; or the laws of Montana relating to search and seizure is considered to be substantial if the violation meets the criteria of subsections (2) or (3).

(2) A violation is considered substantial if it was gross and willful.

(3) A violation that is not classified as substantial under subsection (2) may be considered substantial by considering the following criteria:

(a) the extent of deviation from lawful conduct;

(b) the extent to which the violation was willful;

(c) the extent to which privacy was violated;

(d) whether, but for the violation, the things seized would have been discovered;

(e) the extent to which exclusion will tend to prevent violation of the search and seizure constitutional and statutory provisions; and

(f) the extent to which the violation prejudiced the rights of affected individuals to defend themselves in criminal prosecutions."

18. Page 2, line 16.
Following: "through"
Strike: "14"
Insert: "13"

19. Page 2, lines 16 and 17.
Following: "upon"
Strike: "an affirmative finding"
Insert: "proof"

20. Page 2, line 18.
Following: "a"
Insert: "substantial"
Following: "the"
Strike: "constitutional or legal"

21. Page 2, line 20.
Following: "States constitution"
Strike: "or"
Insert: "; Article II, sections 10 or 11 of"
Following: "Montana constitution"
Insert: "; or the laws of Montana relating to search and seizure"

22. Page 2, line 22 through line 3, page 3.
Following: "subdivisions"
Strike: line 22 through line 3, page 3 in their entirety
Insert: "."

23. Page 3, line 4.
Following: line 3
Strike: "(3)"
Insert: "(2)"
Following: "through"
Strike: "14"

Insert: "13"

24. Page 3, line 7.
Following: "constitutional"
Insert: "or statutory"
Following: "rights"
Insert: "was not caused by the officer or official and"

25. Page 3, line 8.
Following: line 7
Insert: "exclusively"

26. Page 3, line 10.
Following: line 9
Strike: "(4)"
Insert: "(3)"

27. Page 3, line 11.
Following: "liable"
Insert: ", jointly and severally with the officer or other official,"

28. Page 3, line 12.
Following: "through"
Strike: "14"
Insert: "13"

29. Page 3, line 13.
Following: "by the"
Insert: "officer or"

30. Page 3.
Following: line 15
Insert: "(4) Whenever a law enforcement official or any other person is responsible for a violation under [sections 1 through 13] while acting outside the scope of his employment and not under color of law, he is personally liable to the person whose rights were violated."

31. Page 3, line 16.
Strike: "(1) A"
Insert: "Whenever it is determined that there was a substantial violation of a constitutional or legal right, a"

32. Page 3, line 18.
Strike: "(a)"
Insert: "(1)"

33. Page 3, line 19.
Strike: "(b)"
Insert: "(2)"

34. Page 3, line 20.
Strike: "(c)"
Insert: "(3)"

35. Page 3, line 21.
Strike: "(d)"
Insert: "(4)"

36. Page 3, line 22 through line 6, page 4.
Strike: line 22, page 3 through line 6, page 4 in their entirety

37. Page 4, line 9.

Following: "through"
Strike: "14"
Insert: "13"

38. Page 4, line 11.
Following: "through"
Strike: "14"
Insert: "13"

39. Page 4, line 14.
Strike: "or in Lewis and Clark County"

40. Page 4, line 20.
Following: line 19
Strike: "14"
Insert: "13"

41. Page 4, line 23.
Following: "judgment"
Insert: "against the state or a political subdivision"

42. Page 5, lines 9 through 18.
Strike: section 11 in its entirety
Renumber: subsequent sections

43. Page 5, line 19.
Following: "Section 12."
Strike: "Administrative action."
Insert: "Disciplinary action. (1) An action may be commenced in the district court to determine if a law enforcement officer or other official has knowingly or in a grossly negligent manner committed a substantial violation of the fourth amendment of the United States constitution; Article II, sections 10 or 11 of the Montana constitution; or the laws of Montana relating to search and seizure. This action may be brought by the county attorney on his own determination and shall be brought by the county attorney whenever a petition is filed with his office requesting such an action to be brought; provided that the petition is not made in bad faith. An action against a nonelected officer or official shall be a civil action subject to the rules of civil procedure, and an action against an elected officer or official shall be a criminal action for official misconduct, as provided for in 45-7-401. If the county attorney fails to act on the petition, the petitioner may file for a writ of mandamus to compel the county attorney to take action. If the writ is issued, the petitioner shall receive costs and attorney's fees from the county incurred in securing the writ."
Renumber: subsequent subsections

44. Page 5, line 20.
Following: line 19
Insert: "nonelected"

45. Page 5, line 21 through line 1, page 6.
Following: "by a court"
Strike: remainder of line 21 through "rights" on line 1, page 6
Insert: "to have acted knowingly or in a grossly negligent manner in substantial violation of the fourth amendment of the United States constitution; Article II, sections 10 or 11, of the Montana constitution; or the laws of Montana relating to search and seizure"

46. Page 6, line 2.

Strike: ", without pay,"

47. Page 6, line 4.
Following: line 3
Strike: "for 30 days"
Insert: "without pay for a period of time to be determined by the court"

48. Page 6, lines 5 through 9.
Following: "be"
Strike: remainder of line 5 through line 9 in their entirety

49. Page 6, lines 13 through 19.
Strike: lines 13 through 19 in their entirety

50. Page 6.
Following: line 19
Insert: "(3) If the county attorney is the subject of a petition, the attorney general has the duty to bring an action under this section subject to the provisions of subsection (1)."

51. Page 6, line 22.
Following: "through"
Strike: "14"
Insert: "13"

52. Page 7, line 2.
Following: "through"
Strike: "13"
Insert: "12"

53. Page 7, line 4.
Following: "section"
Strike: "4(1)"
Insert: "4(4)"

54. Page 7, line 9.
Following: line 8
Strike: "Instruments"
Insert: "(1) Unless the search or seizure was made in substantial violation of the fourth amendment of the United States constitution; Article II, sections 10 or 11, of the Montana constitution; or the laws of Montana relating to search and seizure, instruments"
Following: "~~seized~~"
Insert: "seized"

55. Page 7.
Following: line 13
Insert: "(2) The determination of whether a violation is substantial or not is to be made using the criteria in [section 3].

SECTION 15. SECTION 46-13-302, MCA, IS AMENDED TO READ:

'46-13-302. Motion to suppress evidence illegally seized. (1) A defendant aggrieved by ~~an unlawful search and seizure~~ a search or seizure made in substantial violation of the fourth amendment of the constitution of the United States; Article II, sections 10 or 11, of the Montana constitution; or the laws of Montana relating to search and seizure may move the court to suppress as evidence anything so obtained. The motion shall be written and state facts showing wherein the search ~~and~~ or seizure ~~were unlawful~~ was a substantial violation.

(2) The motion shall be made before trial unless for good cause shown the court shall otherwise direct.

(3) The defendant shall give at least 10 days' notice of such motion to the attorney prosecuting or such other time as the court may direct. The defendant shall serve a copy of the notice and motion upon the attorney prosecuting.

(4) If the allegations of the motion state facts which if true show that the search ~~and~~ or seizure ~~were unlawful~~ was a substantial violation, the court shall conduct a hearing into the merits of the motion. The burden of proving that the search ~~and~~ or seizure ~~were unlawful~~ was a substantial violation shall be on the defendant. The determination of whether a violation is substantial or nonsubstantial is to be made using the criteria in [section 3].

(5) If the motion is granted, the evidence shall not be admissible against the movant at any trial of the case.'"

56. Page 7, lines 20 and 21.
Strike: section 17 in its entirety

And as amended, be concurred in. Report adopted.

SB 397, be concurred in. Report adopted. 3/20/79

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Seifert in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Harper excused at this time.

Johnston moved that SB 323 pass consideration for the day. Motion carried.

That SB 356 be concurred in. (62-10)

That SB 374 be concurred in. (60-14)

That SB 263 be concurred in. (72-0)

That SB 395 be concurred in. (67-4)

That SB 412 be concurred in. (65-2)

That SB 431 be concurred in. (66-0)

That SB 462 be concurred in. (66-1)

That SB 468 be concurred in. (68-1)

Kemmis moved that SB 481 pass consideration for the day. Motion carried.

That SB 482 be concurred in. (69-0)

That SB 519 be concurred in. (48-29)

That the Committee rise and report. (Seifert, Chairman). Dussault moved that SB 462 be segregated from the Committee of the Whole Report and, as amended, be adopted. Motion carried. And as amended, report adopted. (73-0)

REPORTS OF STANDING COMMITTEES

Dussault moved that all Standing Committee Reports with do pass recommendations and all printing reports be deemed read this day. Motion carried.

BILLS (Metcalf, Chairman): 3/20/79

Correctly enrolled - HB 48, HB 80, HB 85, HB 132, HB 209, HB 212, HB 214, HB 220, HB 224, HB 229, HB 234, HB 238, HB 242, HB 264, HB 301, HB 330, HB 332, HB 367, HB 368, HB 378, HB 383, HB 408, HB 413, HB 422, HB 431, HB 445, HB 485, HB 491, HB 498, HB 577, HB 590, HB 666, HB 668, HB 786, HB 846, HR 2.

Examined by the Sponsor and found to be correct - HB 48, HB 80, HB 85, HB 132, HB 209, HB 212, HB 214, HB 220, HB 224, HB 229, HB 234, HB 238, HB 242, HB 264, HB 301, HB 330, HB 332, HB 367, HB 368, HB 378, HB 383, HB 408, HB 413, HB 422, HB 431, HB 445, HB 485, HB 491, HB 498, HB 577, HB 590, HB 666, HB 668, HB 786, HB 846, HR 2.

Will be signed by the Speaker on adjournment, 3/20/79 - HB 48, HB 80, HB 85, HB 132, HB 209, HB 212, HB 214, HB 220, HB 224, HB 229, HB 234, HB 238, HB 242, HB 264, HB 301, HB 330, HB 332, HB 367, HB 368, HB 378, HB 383, HB 408, HB 413, HB 422, HB 431, HB 445, HB 485, HB 491, HB 498, HB 577, HB 590, HB 666, HB 668, HB 786, HB 846, HR 2, SB 215, SB 333, SB 338, SB 408, SB 466, SJR 1.

Do Pass

LOCAL GOVERNMENT (H. Robbins, Chairman): 3/19/79

SB 352, third reading copy, be amended as follows:

1. Page 1, line 15.
Strike: "15"
Insert: "8"

2. Page 1, line 16.
Following: "appointed"
Insert: "by the governor"

3. Page 1, line 17.
Strike: line 17 in its entirety

4. Page 1, lines 18 through 20.
Strike: subsection (1)(a)(i) in its entirety

5. Page 1, line 21.
Strike: "(ii)"
Insert: "(a)"
Reletter: subsequent subsections

6. Page 1, line 21.
Strike: "three members"
Insert: "one member"
Following: "be"
Insert: "a"

Following: "county"
Strike: "commissioners"
Insert: "commissioner"

7. Page 1, lines 22 through 25.
Following: "counties"
Strike: ","
Insert: "."
Strike: remainder of lines 22 through 25 in their entirety

8. Page 2, line 22 through line 1 on page 3.
Strike: subsections (1)(b) and (1)(c) in their entirety

9. Page 3, line 15.
Following: "Board"
Strike: "expenses —"

10. Page 3, lines 16 through 19.
Following: "administration."
Strike: remainder of lines 16 through 19 in their entirety

11. Page 3, line 20.
Strike: "(2)"

12. Page 5, line 22.
Following: "RECOMMEND"
Strike: "THE"
Insert: "to"

And as amended, be concurred in. Report adopted.

Adverse Committee Reports

On motion by Shelden, the Adverse Committee Report on SB 320 was adopted by the following vote: (70-4)

Ayes: Anderson, Azzara, Baeth, Bennett, Bertelsen, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Gesek, Gilligan, Harper, Harrington, Hayne, Hemstad, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Lien, Lund, McBride, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Stobie, Teague, Thoft, Tropila, Underdal, Waldron, Wood, Yardley, Mr. Speaker.
Total 70

Noes: Dussault, Fagg, Sales, Uhde.
Total 4

Excused: Bardanouve, Bengtson, Gould, Hand, Hurwitz, Kvaalen, Manning, Manuel, Marks, Vinger.
Total 10

Absent or not voting: Brand, Burnett, Conroy, Ellerd, Frates, Hirsch, Kropp, Lory, Magone, Meyer, Smith, Spilker, Staigmiller, Vincent, Williams, Wyrick.
Total 16

On motion by Shelden, the Adverse Committee Report on SB 506 was adopted by the following vote: (61-10)

Ayes: Anderson, Azzara, Baeth, Bennett, Bertelsen, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellison, Ernst, Eudaily,

Fabrega, Fagg, Frates, Gilligan, Gould, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Lory, McBride, Magone, Metcalf, Meyer, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Scully, Seifert, Shelden, Spilker, Teague, Tropila, Uhde, Vincent, Williams, Mr. Speaker.
Total 61

Noes: Curtiss, Ellerd, Feda, Keyser, Kropp, Nathe, Sales, Schultz, Underdal, Wyrick.
Total 10

Excused: Bardanouve, Bengtson, Ellis, Gesek, Hand, Harper, Hurwitz, Kvaalen, Lund, Manning, Manuel, Marks, Menahan, Moore, South, Waldron, Wood, Yardley.
Total 18

Absent or not voting: Brand, Burnett, Conroy, Lien, Pistoria, Sivertsen, Smith, Staigmiller, Stobie, Thoft, Vinger.
Total 11

MESSAGES FROM THE GOVERNOR

The Honorable William Mathers 3/20/79
President of the Senate
State Capitol
Helena, Montana 59601

The Honorable Harold Gerke
Speaker of the House
State Capitol
Helena, Montana 59601

Dear President Mathers and Speaker Gerke:

I, Thomas L. Judge, in accordance with the constitutional powers conferred upon me as Governor, hereby return Senate Bill 78, "AN ACT TO AMEND SECTION 2-19-313, MCA, TO REQUIRE SERVICE OF PROCESS IN TORT ACTIONS AGAINST THE STATE TO BE SERVED PURSUANT TO RULE 4D (2)(H), M.R.Civ.P....", without my signature and recommend the attached amendments.

Senate Bill 78 was introduced at the request of the Department of Administration to provide that the Department would be served with the summons and complaint in an action against the State arising under the provisions of Parts 1 and 3, Chapter 9, Title 2, MCA.

The Department of Administration is responsible for the acquisition and administration of all liability insurance for the protection of the State under the above-mentioned chapters. Pursuant to that responsibility the Department, by legislative direction, has instituted a self-insurance program for most functions and agencies of state government. Because of self-insurance the Department is ultimately responsible for defending the State in actions filed under those laws. For that reason Senate Bill 78 was deemed necessary to provide adequate service of process on the Department of Administration for those actions for which it would be responsible for defending.

Senate Bill 78 was amended during the legislative process and the requirement of service of process on the Department of Administration was deleted. That requirement is necessary.

The attached amendments will replace that requirement in the Senate Bill 78.

I urge your concurrence in these amendments.

Sincerely,

Thomas L. Judge
Governor

PROPOSED AMENDMENTS TO SENATE BILL 78.

1. Title, page 1, line 8.
Strike: "Pursuant to"
Insert: "ON THE DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION IN ADDITION TO SERVICE REQUIRED BY"

2. Page 1, line 16.
Strike: "pursuant to"
Insert: same as above only lower case

3/20/79

The Honorable Harold Gerke
Speaker of the House
Montana State House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that I have signed the following measure this date.

House Bill No. 406.

Sincerely,

Thomas L. Judge
Governor

3/20/79

The Honorable William Mathers
President of the Senate
State Capitol
Helena, Montana 59601

The Honorable Harold Gerke
Speaker of the House
State Capitol
Helena, Montana 59601

Dear President Mathers and Speaker Gerke:

In accordance with the power vested in me as Governor by the constitution and the laws of the State of Montana, I hereby veto Senate Bill 128, "AN ACT TO REQUIRE THE PERSON APPOINTED TO FILL A VACANCY IN AN ELECTIVE OFFICE TO BE A MEMBER OF THE SAME POLITICAL PARTY AS HIS PREDECESSOR; AMENDING SECTIONS 2-16-505, 2-16-506, 7-3-1217, 7-3-4218, 7-4-2106, 13-25-202, AND 69-1-106, MCA."

Article VI, Section 6 of the Montana Constitution provides in subsection (2): "If the Office of Secretary of State, Attorney General, Auditor, or Superintendent of Public Instruction becomes vacant by death, resignation, or disability as determined by law, the Governor shall appoint a qualified

person to service that office until the next general election and until a successor is elected and qualified."

Senate Bill 128 would limit the constitutional prerogative of the Governor by requiring that the appointee be of the same political party as his predecessor and be selected from a list submitted by the State Central Committee of the predecessor's political party. By restricting the Governor's discretion in that fashion, the bill clearly violates the plenary authority given to the Governor by the Montana Constitution.

Constitutional arguments aside, it is my belief that when a Governor acts to fill a vacancy the sole criterion must be: who is the most qualified person to fulfill the public trust of this office? To the extent that this legislation allows political partisanship to answer that question, it does not serve the public good.

For these reasons, I veto Senate Bill 128.

Sincerely,

Thomas L. Judge
Governor

The Honorable William Mathers 3/20/79
President of the Senate
Montana State Senate
State Capitol Building
Helena, Montana 59601

The Honorable Harold Gerke
Speaker of the House
Montana State House of Representatives
State Capitol Building
Helena, Montana 59601

Dear President Mathers and Speaker Gerke:

In accordance with the power vested in me as Governor by the constitution and the laws of the State of Montana, I hereby veto Senate Bill 403, "AN ACT TO REQUIRE SENATE CONFIRMATION OF APPOINTMENTS TO THE BOARD OF REAL ESTATE; AMENDING SECTION 2-15-1642, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

Senate Bill 403 requires that the Senate confirm appointments by the Governor to the Board of Real Estate. Under normal circumstances I would quickly sign such legislation.

However, under the so-called sunset law (Sections 2-8-103 and 2-8-112) the Board of Real Estate is set to terminate on July 1st of this year. While it is not clear whether Senate Bill 403 would require that current members be submitted for confirmation to this session of the Senate, it is clear that such an act would be superfluous in light of the time remaining for the board to exist.

I have conveyed my concerns with Senate Bill 403 to its sponsor and he has advised me that his concerns are addressed in pending legislation which would establish a new entity for regulation of the real estate profession.

For these reasons, I veto Senate Bill 403.

Sincerely,

Thomas L. Judge
Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time and referred to committee:

HB 917, introduced by Dassinger. Referred to Committee on Appropriations.

UNFINISHED BUSINESS

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on House Amendments to SB 390:

Quilici, Chairman
Schultz
Dozier

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on House Amendments to SB 489:

Scully, Chairman
Iverson
Johnson

SPECIAL ORDERS OF THE DAY

Consent Calendar

Questions were asked on HJR 57.

MOTIONS

Uhde moved that SB 2 be taken from Reference Printing and placed on Second Reading on the Sixty-fifth Legislative Day. Motion carried. (59-13)

Dussault moved that the House adjourn until 1:00 p.m., March 21, 1979.

Motion carried.

House adjourned at 4:20 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

SIXTY-FIFTH LEGISLATIVE DAY

Helena, Montana
March 21, 1979

House Chambers
Capitol Building

House convened at 1:01 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Azzara, Lien, Reichert, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Fifty-ninth Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 3/21/79
Correctly printed - HB 297, HB 910.
Considered correctly engrossed - HB 116.

Will be signed by the Speaker on adjournment, 3/21/79 - SB 40, SB 185, SB 288, SB 321, SB 322.

Signed by the Speaker on adjournment, 3/20/79 - HB 48, HB 80, HB 85, HB 132, HB 209, HB 212, HB 214, HB 220, HB 224, HB 229, HB 234, HB 238, HB 242, HB 264, HB 301, HB 330, HB 332, HB 367, HB 368, HB 378, HB 383, HB 408, HB 413, HB 422, HB 431, HB 445, HB 485, HB 491, HB 498, HB 577, HB 590, HB 666, HB 668, HB 786, HB 846, HR 2, SB 215, SB 333, SB 338, SB 408, SB 466, SJR 1.

Adverse Committee Reports

On motion by Huennekens, the Adverse Committee Report on HB 372 was adopted by the following vote: (64-22)

Ayes: Baeth, Bengtson, Bertelsen, Conroy, Cooney, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fagg, Gesek, Gilligan, Harper, Harrington, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, McBride, Magone, Manning, Menahan, Metcalf, Nathe, Pavlovich, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Thoft, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 64

Noes: Anderson, Burnett, Curtiss, Dassinger, Day, Fabrega, Feda, Gould, Hayne, Hemstad, Manuel, Marks, Meyer, Moore, Nordtvedt, Oberg, Sales, Scully, Stobie, Teague, Tropila, Vinger.
Total 22

Excused: Azzara, Lien, Reichert.
Total 3

Absent or not voting: Bardanouve, Bennett, Brand, Daily, Ellerd, Frates, Hand, Huennekens, Q'Connell, Pistoria, Staigmiller.
Total 11

Lien present at this time.

MESSAGES FROM THE OTHER HOUSE

The Senate on 3/19/79, failed to concur in House Amendments to Senate Bill No. 504 and appointed a Conference Committee and requested the House of Representatives to appoint a like committee to confer on House Amendments to Senate Bill No. 504.

The President appointed the following members:

Senator Ed Smith, Chairman
Senator Van Valkenburg
Senator Manley

The Senate on 3/19/79, failed to concur in House Amendments to Senate Bill No. 458 and appointed a Conference Committee and requested the House of Representatives to appoint a like committee to confer on House Amendments to Senate Bill No. 458.

The President appointed the following members:

Senator Himsl, Chairman
Senator Healy
Senator Roskie

The Senate on 3/20/79, acceded to the request of the House of Representatives and appointed a Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 678.

The President appointed the following members:

Senator Lensink, Chairman
Senator Towe
Senator O'Hara

The Senate on 3/20/79, acceded to the request of the House of Representatives and appointed a Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 606.

The President appointed the following members:

Senator Goodover, Chairman
Senator Dover
Senator Regan

The Senate on 3/20/79, acceded to the request of the House of Representatives and appointed a Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 603.

The President appointed the following members:

Senator Galt, Chairman
Senator Anderson
Senator Van Valkenburg

The Senate on 3/20/79, acceded to the request of the House of Representatives and appointed a Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 230.

The President appointed the following members:

Senator Roskie, Chairman
Senator Lockrem

Senator Steve Brown

House Bills concurred in as amended and returned to the House for concurrence in Senate Amendments: 3/20/79

House Bill No. 363, introduced by Bertelsen

House Bill No. 424, introduced by Yardley

House Bill No. 488, introduced by H. Robbins, Eudaily, Scully, Staigmiller, Quilici

House Bill No. 555, introduced by Hand, Daily, Conroy, Lien, O'Connell

House Bill No. 699, introduced by Ramirez, Keedy

House Bill No. 785, introduced by Dussault, Fasbender, Scully

House Bills and House Joint Resolution concurred in and returned to the House: 3/20/79

House Bill No. 23, introduced by K. Robbins

House Bill No. 179, introduced by Lund

House Bill No. 316, introduced by Hand, Conroy, O'Connell, Lien, et al

House Bill No. 661, introduced by Manuel

House Bill No. 741, introduced by Brand, Hazelbaker, Conover, Healy, Sales, et al

House Bill No. 805, introduced by Williams

House Bill No. 820, introduced by Pistoria

House Joint Resolution No. 14, introduced by Vinger, Ramirez

The Senate on 3/20/79, acceded to the request for the return of Senate Bill No. 228, introduced by Goodover, Kolstad, et al, and is returning the said bill to the House for further consideration.

House Bill not concurred in and returned to the House: 3/20/79

House Bill No. 313, introduced by Huennekens, Azzara, Vincent

Senate Bill passed as amended and transmitted to the House for concurrence: 3/20/79

Senate Bill No. 318, introduced by Thomas

House Bill not concurred in as amended and returned to the House: 3/20/79

House Bill No. 742, introduced by Shelden, Bertelsen, Nathe, Vincent

House Bill indefinitely postponed and returned to the House: 3/20/79

House Bill No. 635, introduced by Eudaily, Lory

House Amendments to Senate Bills concurred in: 3/20/79

House Amendments to Senate Bill No. 32, introduced by Mathers

House Amendments to Senate Bill No. 97, introduced by Himsl, et al

House Amendments to Senate Bill No. 113, introduced by Graham

House Amendments to Senate Bill No. 406, introduced by Conover, et al

House Amendments to Senate Bill No. 450, introduced by Highways Committee

MOTIONS

Scully moved that SB 44 be recalled from the Senate for further consideration. Motion carried. (79-12)

Moore moved that the Speaker change the Conference Committee appointed on Senate Amendments to HB 283 to a Free Conference Committee. Motion carried. (91-0)

Gesek moved that SB 368, presently on Second Reading this day, be passed until the Seventy-first Legislative Day. Motion carried. (81-4)

Dussault moved that consideration of the Senate Amendments to the following House Bills be passed until the Seventy-first Legislative Day: HB 57, HB 342, HB 490, HB 570, HB 688, HB 713, HB 718, HB 783, HB 797, HB 850. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on House Amendments to SB 504. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on House Amendments to SB 458. Motion carried.

Reichert present at this time.

Keedy moved that SB 170 be taken out of the Committee on State Administration and placed on Second Reading. Motion carried. (54-30)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 918, (introduced by Legislative Administration Committee), Metcalf, Chairman, Magone, Lory, Quilici, Meyer. Referred to Committee on Appropriations.

HR 3, (introduced by Legislative Administration Committee), Metcalf, Chairman, Magone, Quilici, Lory, Meyer. Referred to Committee on Legislative Administration.

The following Senate bill was introduced, read first time and referred to committee:

SB 318, introduced by Thomas. Referred to Committee on Taxation.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Joint Resolution No. 52 was passed by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Manuel, Marks, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Sales,

Schultz, Scully, Seifert, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 78

Noes: Bertelsen, Brand, Cooney, Harper, Harrington, Johnson, Kemmis, Magone, Manning, Oberg, Uhde.
Total 11

Excused: Azzara.
Total 1

Absent or not voting: Bardanouve, Burnett, Dozier, Dussault, Huennekens, Menahan, Rosenthal, Shelden, Smith, Waldron.
Total 10

Senate Bill No. 49 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Azzara.
Total 1

Absent or not voting: Scully.
Total 1

Senate Bill No. 132 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Shelden, Sivertsen, South, Staigmiller, Teague, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 79

Noes: Burnett, Donaldson, Ellerd, Ellison, Hayne, Hurwitz, Kropp, Lund, Porter, Sales, Seifert, Smith, Spilker, Stobie, Underdal, Vinger, Wyrick.
Total 17

Excused: Azzara.
Total 1

Absent or not voting: Ellis, Feda, Scully.

Total 3

Senate Bill No. 225 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: Jensen, Manning.
Total 2

Excused: Azzara.
Total 1

Absent or not voting: Scully.
Total 1

Senate Bill No. 256 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Azzara.
Total 1

Absent or not voting: Conroy, Scully, Underdal.
Total 3

Consent Calendar

House Joint Resolution No. 57 was passed by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer,

Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: Bardanouve, Brand.
Total 2

Excused: Azzara.
Total 1

Absent or not voting: Dozier, Scully.
Total 2

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Harrington in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Fagg excused at this time.

That HB 397 do pass. (75-10)

That HB 461 do pass. (55-37)

That HB 471 do pass. (76-11)

Ramirez moved that HB 669 be placed below SB 229. Motion carried.

That HB 811 do pass. (83-0)

That HJR 44 do pass. (82-2)

Fagg present at this time.

That HJR 51 do pass. (65-28)

That HJR 54 do pass. (80-3)

That SB 262 be concurred in. Motion failed. (30-67)

That SB 262 be not concurred in. (71-26)

That SB 2, third reading copy, second printing, be amended as follows: (95-1)

1. Page 3, line 2 through line 4.
Following: line 1
Strike: subsection (7) in its entirety

2. Page 4, line 17 through line 19.
Following: line 16
Strike: subsection (9) in its entirety

3. Page 6, line 12 through line 14.
Following: line 11

Strike: subsection (7) in its entirety

4. Page 8, line 2 through line 4.
Following: line 1
Strike: subsection (9) in its entirety

And as amended, be concurred in. (97-0)

That the Committee rise and report and beg leave to sit again. (Harrington, Chairman). Harrington moved that the committee report be deemed read. Motion carried. Report adopted. (90-2)

Nordtvedt moved that the Journal reflect that, due to a personal interest, he abstained from voting on HB 397. Motion carried.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 3/21/79

Correctly enrolled - HB 19, HB 67, HB 107, HB 113, HB 175, HB 187, HB 217, HB 233, HB 270, HB 348, HB 352, HB 375, HB 463, HB 598, HB 618, HB 711, HB 780, HB 817, HJR 7, HJR 38, HJR 48.

Will be signed by the Speaker on adjournment, 3/21/79 - HB 19, HB 67, HB 107, HB 113, HB 175, HB 187, HB 217, HB 233, HB 270, HB 348, HB 352, HB 375, HB 463, HB 598, HB 618, HB 711, HB 780, HB 817, HJR 7, HJR 38, HJR 48.

Do Pass

APPROPRIATIONS (Bardanouve, Chairman): 3/21/79

SB 425, third reading copy, second printing, be amended as follows:

1. Page 2, lines 14 through 19.
Strike: section 3 in its entirety
Renumber: subsequent sections

And as amended, be concurred in. Report adopted.

BUSINESS AND INDUSTRY (Quilici, Chairman): 3/21/79

HJR 56, introduced bill, be amended as follows:

1. Title, line 8.
Following: line 7
Insert: "AND FOOD"
Following: "CONTAINERS"
Strike: "FOR BEER AND SOFT DRINKS"

2. Page 1, line 12.
Following: "of"
Insert: "food and"

3. Page 2, line 5.
Following: "controlling"
Insert: "food and"

4. Page 2, lines 5 and 6.
Following: "containers" on line 5
Strike: "for beer and soft drinks"

5. Page 2.
Following: line 7
Insert: "(a) an evaluation of the State Solid Waste Management Strategy report (1976) prepared for the State of Montana by the Department of Health and Environmental Sciences;"

Renumber: subsequent subsections

6. Page 2, line 9.
Following: line 8
Insert: "food and"

7. Page 2, line 10.
Following: "Idaho's"
Strike: "Beverage Industry Recycling Program (BIRP)"
Insert: "voluntary recycling program"

8. Page 2, line 11.
Following: "law,"
Strike: "and"

9. Page 2, line 12.
Following: "program"
Insert: ", and similar programs in Maine, Michigan, and Vermont"

10. Page 2, line 14.
Following: "program"
Insert: "as the committee deems necessary"

11. Page 2, line 16.
Following: "recycling"
Insert: "or reuse"
Following: "of"
Insert: "food or"

And as amended, do pass. Report adopted.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Metcalf, Chairman): 3/21/79
HR 3, be adopted. Report adopted.

NATURAL RESOURCES (Shelden, Chairman): 3/21/79
SB 515, third reading copy, be amended as follows:

1. Page 14, line 23.
Following: "this part."
Insert: "When an inspection results from information provided to the department by any person, the department shall notify that person when the inspection is proposed to be made and that person shall be allowed to accompany the inspector during the inspection."

2. Page 60, line 21.
Following: "this state"
Insert: "or any person having an interest which is or may be adversely affected"

3. Page 61, line 10.
Following: "the resident"
Insert: "or person having an interest which is or may be adversely affected"

And as amended, be concurred in. Report adopted.

STATEMENT OF INTENT RE: Senate Bill No. 515

It is the intent of the Legislature that the Board of Land Commissioners' present rulemaking authority applies to SB 515 so that the Board has authority to make the rule changes necessary to insure approval of

Montana's reclamation program by the United States Department of the Interior.

/s/Shelden

SJR 8, third reading copy, be amended as follows:

1. Title, line 5.
Following: "URGING THE"
Insert: "RESOLUTION OF THE PROBLEMS CONCERNING"

2. Page 1.
Following: line 6
Insert: "WHEREAS, the reregulating dam at Libby is part of the Libby Additional Units and Reregulating Dam (LAURD) project; and"

3. Page 1, line 8.
Following: "WHEREAS,"
Insert: "if the four additional generating units are installed,"

4. Page 1, line 14.
Following: "WHEREAS,"
Insert: "although"

5. Page 1, line 15.
Following: "made"
Insert: ", serious questions have been raised as to the need and therefore the value of the peaking power that will be produced at the expense of the combination of base and peak load power now being generated by the existing four units"

6. Page 1.
Following: line 18
Insert: "That the Legislature commends Senators John Melcher and Max Baucus and Congressman Pat Williams for and urges them to pursue the indepth studies by the General Accounting Office (GAO) designed to determine the need for and therefore the value of the type of peaking power that will be produced from the LAURD project."

7. Page 1, line 19.
Strike: "That"
Insert: "BE IT FURTHER RESOLVED, that only on a finding from these GAO studies that the LAURD project has a positive cost-benefit ratio do"

And as amended, be concurred in. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable Harold Gerke 3/21/79
Speaker
Montana House of Representatives
Helena, Montana

Dear Mr. Speaker:

This is to inform you that I have signed the following measures this date:

House Bill Nos. 163, 278, 322, 391, 392, 404, 499 and 739.

Sincerely,

Thomas L. Judge
Governor

MOTIONS

Dussault moved that the gag rule be suspended to allow longer time for discussion on SB 65 on Second Reading this day. Motion carried.

Dussault moved that the Conference Committee on Senate Amendments to HB 283 be dissolved. Motion carried.

Dussault moved that the Speaker appoint a Free Conference Committee of three to meet with a like committee from the Senate on HB 283. Motion carried.

Tropila moved that SB 225 be recalled from the Senate for further consideration. Motion carried.

Kemmis moved that SB 301 be taken from Reference Printing and placed on Second Reading. Motion carried.

UNFINISHED BUSINESS

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on House Amendments to Senate Bill 458:

Tropila, Chairman
Baeth
Jensen

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on House Amendments to Senate Bill 504:

Day, Chairman
Kropp
Holmes

MOTIONS

Dussault moved that the House Appropriations Committee be excused at 3:45 p.m. for consideration of bills in that committee. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Harrington in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 54 be concurred in. (70-7)

Dussault excused at this time.

That SB 65 be concurred in. (77-4)

That SB 200 be concurred in. (62-8)

Hemstad excused at this time.

That SB 217 be concurred in. (54-24)

That SB 243 be concurred in. (66-1)

That Natural Resources Committee Amendments, dated March 19, 1979, to Senate Bill No. 323, third reading copy, be amended as follows: (74-0)

1. Amendments 1 through 4.
Strike: amendments 1 through 4 in their entirety

2. Amendment 5.
Following: "Insert:"
Strike: "made from coal"
Insert: "(except for natural gas)"

And as amended, be concurred in. (73-1)

That SB 352 be concurred in. (61-12)

That SB 229 be concurred in. (68-7)

That HB 669 do pass. (72-4)

Dussault present at this time.

That SB 380 be concurred in. (74-0)

That SB 397 be concurred in. (68-5)

That SB 404 be concurred in. (72-0)

That SB 462, third reading copy, be amended as follows: (70-0)

1. Title, lines 6 and 7.
Following: "DISTRICTS;"
Strike: "TO REQUIRE DIRECTORS TO RESIDE AND OWN OR LEASE REAL PROPERTY IN THE DISTRICT;"

2. Title, line 7.
Following: "SECTIONS"
Strike: "7-13-2233,"

3. Title, line 8.
Following: "7-13-2234"
Strike: ","

4. Page 1, lines 12 through 15.
Strike: section 1 in its entirety

And as amended, be concurred in. (74-0)

That SB 481 be concurred in. (75-1)

That SB 491 be concurred in. (70-4)

South present at this time.

That SB 516 be concurred in. (77-0)

Moore, Hand present at this time.

That SB 520 be concurred in. (70-5)

That SJR 14 be concurred in. (57-14)

That SJR 27 be concurred in. (72-7)

That the Committee rise and report. (Harrington, Chairman). Harrington moved that the committee report be deemed read. Motion carried. Report adopted. (76-0)

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 3/21/79
Considered correctly engrossed - HB 397, HB 461, HB 471, HB 811, HJR 44.

REPORTS OF SELECT COMMITTEES

JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 100
Report No. 1, March 21, 1979

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 100, met March 21, 1979, and considered:

1. Senate Committee on Highways and Transportation amendments to the third reading copy, dated March 1, 1979, and

2. Senate Committee of the Whole amendments to the third reading copy, dated March 3, 1979.

We recommend that:

1. the Senate recede from Committee amendment numbers 1 and 3 and the House accede to the Committee amendment numbers 2, 4 and 5;

2. the Senate recede from Committee of the Whole amendment number 1;

3. the reference (engrossed) copy of House Bill No. 100 read as specified in the CLERICAL INSTRUCTIONS;

4. the Conference Committee Report to House Bill No. 100 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 2, line 3.
Strike: "15"
Insert: "20"

2. Page 2, line 9.
Strike: "12"
Insert: "15"

3. Page 3, lines 6 through 8.
Following: "~~expired)~~"
Strike: "(THIS SUBSECTION (J) DOES NOT APPLY TO OPERATING A MOTOR VEHICLE WITHIN A PERIOD OF 180 DAYS FROM THE DATE THE LICENSE EXPIRED)"

FOR THE HOUSE:	FOR THE SENATE:
COONEY	KOLSTAD
FRATES	GRAHAM
KEYSER	HAGER

MESSAGES FROM THE OTHER HOUSE

The Senate on 3/21/79, requested the return of the following House Bill for further consideration:

House Bill No. 316, introduced by Hand, Conroy, O'Connell, et al

Dussault moved that the House adjourn until 1:00 p.m., March 22, 1979.

Motion carried.

House adjourned at 5:27 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

SIXTY-SIXTH LEGISLATIVE DAY

Helena, Montana
March 22, 1979

House Chambers
Capitol Building

House convened at 1:02 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Scully, Seifert, Smith, excused; Hemstad, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Sixtieth Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 3/22/79

Correctly printed - HB 483.
Considered correctly engrossed - HB 669, HJR 51, HJR 54.
Correctly engrossed - HB 402.

Signed by the Speaker, 3/21/79 - SB 40, SB 185, SB 288, SB 321, SB 322, HB 19, HB 67, HB 107, HB 113, HB 175, HB 187, HB 217, HB 233, HB 270, HB 348, HB 352, HB 375, HB 463, HB 598, HB 618, HB 711, HB 780, HB 817, HJR 7, HJR 38, HJR 48.

Delivered to the Governor for his approval at 8:30 a.m., 3/22/79 - HB 48, HB 80, HB 85, HB 132, HB 209, HB 212, HB 214, HB 220, HB 224, HB 229, HB 234, HB 238, HB 242, HB 264, HB 301, HB 330, HB 332, HB 367, HB 368, HB 378, HB 383, HB 408, HB 413, HB 422, HB 431, HB 445, HB 485, HB 491, HB 498, HB 577, HB 590, HB 666, HB 668, HB 786, HB 846.

Delivered to the Governor for his approval at 11:30 a.m., 3/22/79 - HB 19, HB 67, HB 107, HB 113, HB 175, HB 187, HB 217, HB 233, HB 270, HB 348, HB 352, HB 375, HB 463, HB 598, HB 618, HB 711, HB 780, HB 817.

Smith present at this time.

MESSAGES FROM THE OTHER HOUSE

The Governor's veto of Senate Bill No. 128, introduced by Rasmussen, Hager, was on 3/21/79, overridden. According to Article VI, Section X, (3) and Joint Rule 6-31, a ⅔ majority must vote to override. The said bill is transmitted to the House for action on the Governor's veto. With 48 Senators present, the vote was as follows:

SENATE

YEAS - 36
NAYS - 10

The Senate on 3/20/79, failed to concur in House Amendments to Senate Bill No. 155 and appointed a Conference Committee and requested the House of Representatives to appoint a like committee to confer on House Amendments to Senate Bill No. 155.

The President appointed the following members:

Senator Lowe, Chairman

Senator Boylan
Senator Dover

Senate Bill passed as amended and transmitted to the House for concurrence: 3/21/79

Senate Bill No. 248, introduced by Towe

House Bills concurred in as amended and returned to the House for concurrence in Senate Amendments: 3/21/79

House Bill No. 759, introduced by Bertelsen, Bennett

House Bill No. 863, introduced by Curtiss, Hirsch, et al

House Bill No. 567, introduced by Magone, Kanduch, et al, requiring adoption by a two-thirds vote of all the members of the Legislature, failed to pass the Senate and is returned to the House with the following vote: 3/21/79

SENATE	HOUSE OF REPRESENTATIVES
YEAS - 12	YEAS - 57
NAYS - 36	NAYS - 42

House Bill not concurred in as amended and returned to the House: 3/21/79

House Bill No. 865, introduced by Manning, Hemstad, Meyer

House Amendments to Senate Bills concurred in: 3/21/79

House Amendments to Senate Bill No. 28, introduced by Story

House Amendments to Senate Bill No. 208, introduced by Hafferman, Lowe

House Amendments to Senate Bill No. 377, introduced by Palmer, Regan, Boylan

House Amendments to Senate Bill No. 456, introduced by Thomas

House Amendments to Senate Bill No. 280, introduced by Hazelbaker, Kolstad, et al

House Bill indefinitely postponed and returned to the House: 3/21/79

House Bill No. 856, introduced by Vincent

House Bills concurred in and returned to the House: 3/21/79

House Bill No. 686, introduced by Manning, Manuel, E. Smith, Hurwitz

House Bill No. 714, introduced by Keyser, Fabrega, O'Connell

House Bill No. 746, introduced by Curtiss, Roth, Nathe, E. Smith, et al

House Bill No. 810, introduced by Natural Resources Committee (Shelden, Chairman)

Senate Bills passed as amended and transmitted to the House for concurrence: 3/22/79

Senate Bill No. 195, introduced by Lowe, Regan, Anderson, S. Brown

Senate Bill No. 492, introduced by Stimatz

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 919, (introduced by Taxation Committee), Huennekens, Chairman. Referred to Committee on Taxation.
HB 920, introduced by Brand, Keyser. Referred to Committee on Appropriations.
HJR 59, introduced by Gould, Keedy, Scully, Holmes, Ramirez. Referred to Committee on Judiciary.
HJR 60, introduced by Nathe, Bertelsen, Lien, Hirsch, Dassinger, Shelden, Roskie, Dover, Hafferman, Thomas, Rasmussen, M. Anderson, E. Smith, Hager. Referred to Committee on Natural Resources.

The following Senate bills were introduced, read first time and referred to committees:

SB 195, introduced by Lowe, Regan, Anderson, S. Brown. Referred to Committee on Taxation.
SB 248, introduced by Towe. Referred to Committee on Taxation.
SB 492, introduced by Stimatz, (By Joint Request of the Attorney General and the Department of Revenue). Referred to Committee on Taxation.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 397 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellis, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 83

Noes: Ellison, Gould, Keyser, Nathe, K. Robbins, Smith, Thoft.
Total 7

Excused: Scully, Siefert.
Total 2

Absent or not voting: Dussault, Ellerd, Fagg, Hemstad, Hurwitz, Lory, Nordtvedt, Underdal.
Total 8

House Bill No. 461 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Cooney, Daily, Dassinger, Day, Dozier, Ellis, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnson, Johnston, Keedy, Lien, Lory, McBride,

Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Oberg, O'Connell, Pavlovich, Quilici, H. Robbins, Rosenthal, Shelden, South, Tropila, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 56

Noes: Burnett, Conroy, Curtiss, Donaldson, Ellerd, Ellison, Feda, Gould, Hayne, Iverson, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lund, Nathe, Nordtvedt, Pistoria, Porter, Ramirez, Reichert, K. Robbins, Roth, Sales, Schultz, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Underdal, Vinger, Wood, Wyrick.
Total 37

Excused: Scully, Seifert.
Total 2

Absent or not voting: Azzara, Dussault, Hemstad, Hurwitz, Kanduch.
Total 5

House Bill No. 471 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Burnett, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Shelden, South, Spilker, Staigmiller, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 78

Noes: Bennett, Conroy, Curtiss, Ellison, Gould, Hayne, Keyser, Nathe, Nordtvedt, Roth, Sivertsen, Smith, Stobie, Teague, Underdal, Vinger.
Total 16

Excused: Scully, Seifert.
Total 2

Absent or not voting: Dussault, Ellerd, Hemstad, Hurwitz.
Total 4

House Bill No. 811 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Scully, Seifert.
Total 2

Absent or not voting: Dussault, Ellerd, Hemstad, Hurwitz.
Total 4

House Joint Resolution No. 44 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Bardanouve, Burnett, Curtiss, Fagg.
Total 4

Excused: Scully, Seifert.
Total 2

Absent or not voting: Dussault, Ellerd, Hemstad, Hurwitz, Wood.
Total 5

Senate Bill No. 224 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bengtson, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Iverson, Jensen, Johnson, Johnston, Kanduch, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, O'Connell, Pavlovich, Porter, Quilici, Ramirez, K. Robbins, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Vinger, Williams, Wood, Wyrick, Mr. Speaker.
Total 72

Noes: Bennett, Bertelsen, Brand, Fagg, Gilligan, Huennekens, Keedy, Kemmis, McBride, Manning, Moore, Oberg, Pistoria, Reichert, H. Robbins, Rosenthal, Underdal, Vincent, Waldron, Yardley.
Total 20

Excused: Scully, Seifert.
Total 2

Absent or not voting: Azzara, Bardanouve, Dussault, Ellerd, Hemstad, Hurwitz.
Total 6

Senate Bill No. 263 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden,

Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: None.
Total 0

Excused: Scully, Seifert.
Total 2

Absent or not voting: Dussault, Ellerd, Hemstad, Hirsch, Hurwitz, K. Robbins.
Total 6

Senate Bill No. 273 was concurred in by the following vote:

Ayes: Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellis, Ellison, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Magone, Manning, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Sales, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Uhde, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 76

Noes: Anderson, Azzara, Burnett, Ernst, Hayne, Lund, McBride, Manuel, Nathe, Oberg, K. Robbins, Rosenthal, Roth, Schultz, Smith, Tropila, Vinger, Waldron.
Total 18

Excused: Scully, Seifert.
Total 2

Absent or not voting: Dussault, Ellerd, Hemstad, Hurwitz.
Total 4

Senate Bill No. 395 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Schultz, Shelden, Sivertsen, South, Spilker, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 84

Noes: Conroy, Kemmis, Keyser, K. Robbins, Roth, Smith, Staigmiller, Stobie, Vinger.
Total 9

Excused: Scully, Seifert.
Total 2

Absent or not voting: Dussault, Ellerd, Hayne, Hemstad, Hurwitz.

Total 5

Moore moved that the Journal reflect that he voted aye on SB 224. Motion carried.

MOTIONS

Dussault moved that the Conference Committee on Senate Amendments to HB 606 be dissolved and that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on HB 606. Motion carried.

REPORTS OF STANDING COMMITTEES

Adverse Committee Reports

After being recalled from the Senate for reconsideration, the Adverse Committee Report on SB 228 was again adopted by the following vote: (53-27)

Ayes: Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Daily, Dassinger, Day, Dozier, Ellis, Ernst, Eudaily, Frates, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Kvaalen, Lory, Lund, McBride, Manuel, Marks, Menahan, Metcalf, Oberg, Pavlovich, Porter, Quilici, Ramirez, Reichert, Rosenthal, Shelden, Sivertsen, South, Stobie, Teague, Thoft, Uhde, Williams, Yardley, Mr. Speaker.
Total 53

Noes: Anderson, Brand, Donaldson, Ellison, Fabrega, Feda, Gilligan, Gould, Keedy, Keyser, Kropp, Magone, Manning, Meyer, Moore, Nathe, O'Connell, Sales, Schultz, Spilker, Staigmiller, Tropila, Underdal, Vincent, Vinger, Wood, Wyrick.
Total 27

Excused: Scully, Seifert.
Total 2

Absent or not voting: Azzara, Burnett, Curtiss, Dussault, Ellerd, Fagg, Gesek, Hayne, Hemstad, Hurwitz, Lien, Nordtvedt, Pistoria, H. Robbins, K. Robbins, Roth, Smith, Waldron.
Total 18

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Kvaalen in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Moore moved that SB 297 be passed to the bottom of the board. Motion carried.

That HB 910 do pass. (73-15)

Roth moved that SB 301 be moved to the bottom of the board. Motion carried.

Marks moved that SB 425 be passed for the day. Motion failed. (34-61)

That SB 425 be not concurred in. Motion failed. (35-61)

That SB 425 be concurred in. (68-28)

That SB 170, third reading copy, be amended as follows: (87-1)

1. Page 2, lines 4 and 5.
Following: "(4)"
Strike: remainder of lines 4 and 5 in their entirety
Insert: "This section does not apply to the lists of registered electors and the new-voter lists provided for in 13-2-115 and 13-38-103."

That SB 170, third reading copy, be further amended as follows: (87-0)

1. Page 2, line 9.
Following: "MCA"
Insert: ", or specifically exempted therefrom as provided in 20-30-102"

That SB 170, third reading copy, be further amended as follows: (87-1)

1. Page 2, lines 10 through 13.
Following: "(6)"
Strike: remainder of lines 10 through 13 in their entirety
Insert: "This section does not apply to the right of access by Montana law enforcement agencies to public records dealing with motor vehicle registration."

And as amended, be concurred in. (51-39)

That SB 515 be concurred in. (78-0)

That Natural Resources Committee Amendments, dated March 21, 1979, to Senate Joint Resolution No. 8 be amended as follows: (60-28)

1. Amendments 1 through 7.
Strike: amendments 1 through 7 in their entirety

And as amended, be not concurred in. Motion failed. (22-70)

That SJR 8, as amended, be concurred in. (63-29)

That the Committee rise and report and beg leave to sit again. Kvaalen moved that the Committee of the Whole Report be deemed read. Motion carried. Marks moved that SB 425 be segregated from the Committee of the Whole Report, and as amended the report be adopted. Motion carried. (74-15) And as amended, report adopted.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 3/22/79

Correctly enrolled - HB 13, HB 17, HB 20, HB 118, HB 223, HB 241, HB 377, HB 439, HB 457, HB 458, HB 513, HB 514, HB 782, HB 881, HJR 49.

Examined by the Sponsor and found to be correct, 3/22/79 - HB 13, HB 17, HB 20, HB 118, HB 223, HB 241, HB 377, HB 439, HB 457, HB 458, HB 513, HB 514, HB 782, HB 881, HJR 49.

Will be signed by the Speaker on adjournment, 3/22/79 - SB 59, SB 81, SB 83, SB 85, SB 92, SB 149, SB 156, SB 227, SB 276, SB 305, SB 367, SB 432, SB 435, SB 441, SB 467, SJR 18, SJR 21, HB 13, HB 17, HB 20, HB 118, HB 223, HB 241, HB 377, HB 439, HB 457, HB 458, HB 513, HB 514, HB 782, HB 881, HJR 49.

Do Pass

HIGHWAYS AND TRANSPORTATION (Baeth, Chairman): 3/22/79
SJR 31, be concurred in. Report adopted.

TAXATION (Huennekens, Chairman): 3/22/79
HB 269, introduced bill, be amended as follows:

1. Title, line 7.
Following: line 6
Strike: "IS NOT"
Insert: "IS AN ISSUE"

2. Page 2, line 13.
Following: "~~taxable~~."
Strike: "."
Insert: "when the surviving joint tenant is a spouse or issue of the decedent. In all other cases, the full value of the property shall be taxable, except the portion thereof that originally belonged to the survivor and as to which the decedent had made no contribution; if the decedent had made a contribution to the ownership of the property, the amount of the contribution shall be taxable."

And as amended, do pass. Report adopted.

HB 299, introduced bill, be amended as follows:

1. Title, line 6 and line 7.
Following: "EXEMPTING"
Strike: "THE FIRST $100,000"
Insert: "A PORTION"

2. Title, line 7.
Following: "OF"
Insert: "THE"
Following: "TAXATION"
Insert: "FOR 10 YEARS"

3. Page 1, line 17.
Following: "taxation"
Insert: "for years after the date of installation of the property"

4. Page 1, line 19.
Strike: "$100,000; and"
Insert: ":"

5. Page 1.
Following: line 19
Insert: "(i) $20,000 in the case of a single family residential dwelling; or

(ii) $100,000 in the case of a multi-family residential dwelling or a nonresidential structure;"

6. Page 1, line 22.
Following: "exceeds"
Strike: "$100,000"
Insert: "the respective amounts cited in subsection (1)(a)"

7. Page 3, line 3.
Following: "exceeds"
Strike: "$100,000"
Insert: "the respective amount cited in [Section 1(1)(a)]"

8. Page 8, lines 3 through 6.
Strike: lines 3 through 6 in their entirety
Insert: "(4) The following portions of the appraised value of a capital investment in a recognized nonfossil form of energy generation, as defined in 15-32-102, are exempt from taxation for a period of 10 years following installation of the property:

(a) $20,000 in the case of a single family residential dwelling;

(b) $100,000 in the case of a multi-family residential dwelling or a nonresidential structure."

And as amended, do pass. Report adopted.

HB 534, introduced bill, be amended as follows:

1. Page 1.
Following: line 22
Insert: "(4) 'Passive solar system' means a direct thermal energy system that uses the structure of a building and its operable components to provide heating or cooling during the appropriate times of the year by using the climate resources available at the site."
Renumber: subsequent subsection

2. Page 1, line 25.
Following: "solar"
Strike: "heat"
Insert: "systems"

And as amended, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House Bills concurred in as amended and returned to the House for concurrence in Senate Amendments: 3/22/79

House Bill No. 77, introduced by Gould

House Bill No. 571, introduced by Menahan

House Bill No. 842, introduced by Day (By request of Select Water Committee)

House Bill No. 875, introduced by Kanduch

The Senate on 3/22/79, acceded to the request for the return of Senate Bill No. 44, introduced by Dover and is returning the said bill to the House for further consideration.

House Bills and House Joint Resolution concurred in and returned to the House: 3/22/79

House Bill No. 381, introduced by Kessler

House Bill No. 516, introduced by Lund

House Bill No. 531, introduced by Sales

House Bill No. 578, introduced by Wyrick, Bennett, Curtiss, Conroy, Kropp, et al

House Bill No. 707, introduced by South

House Joint Resolution No. 11, introduced by Gesek, Huennekens, Dussault

House Joint Resolution indefinitely postponed and returned to the House: 3/22/79

House Joint Resolution No. 3, introduced by Marks, Spilker, Conroy, Wyrick, et al

MOTIONS

Dussault moved that HB 919 be rereferred from the Committee on Taxation to the Committee on Appropriations. Motion carried.

Dussault moved that the Conference Committee Reports on Senate Amendments to House Bills 100, 363, 424, 488, 555, 699, 785, presently on Second Reading this day, be passed until the Seventy-first Legislative Day. Motion carried.

Dussault moved that the Appropriations Committee be excused for the remainder of the legislative day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Lory in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Dussault moved that SB 425 be placed above HB 297. Motion carried.

That SB 425, third reading copy, second printing, be amended as follows: (76-1)

1. Title, line 10.
Following: "INSTITUTIONS"
Insert: "OR THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES"

2. Page 1, line 20.
Following: "INSTITUTIONS"
Insert: "or the department of social and rehabilitation services"

3. Page 1, line 22.
Following: "institutions"
Insert: ", the department of social and rehabilitation services,"

4. Page 1, line 23.
Following: "institutions"
Insert: "and the department of social and rehabilitation services"

5. Page 2, line 24.
Following: "institutions"
Insert: "or the department of social and rehabilitation services"

And as amended, be concurred in. (70-6)

That HB 297, second reading copy, be amended as follows: (48-42)

1. Title, line 9.
Following: "LAND"

Insert: "AND IMPROVEMENTS"

2. Title, line 11.
Following: "PURPOSES"
Strike: "IS"
Insert: "ARE"

3. Page 1, line 20.
Following: "land"
Insert: "and improvements"

And as amended, do pass. (58-34)

That SB 301, third reading copy, be amended as follows: (64-0)

1. Page 10.
Following: line 21
Insert: "(4) No person listed in subsection (2) may refuse to make a report as required in this section on the grounds of a physician-patient or similar privilege if the person came into possession of such information as a result of his treatment of the child."
Renumber: subsequent subsection

That Judiciary Committee Amendments to Senate Bill No. 301, third reading copy, be amended as follows:

1. Amendment No. 6.
Following: "Insert:"
Insert: "related to the examination or treatment of the child and"

2. Amendment No. 7, line 15 of the insertion paragraph.
Following: "privileges"
Insert: "related to the examination or treatment of the child and"

And as amended, be concurred in. (64-2)

That the Committee rise and report. (Lory, Chairman). Report adopted. (64-5)

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 3/22/79
Correctly printed - HJR 56.

MESSAGES FROM THE GOVERNOR

The Honorable Harold Gerke 3/22/79
Speaker
House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that I have signed the following measures this date:

House Bill Nos. 61, 145, 166, 247, 276, 327, 328, 337, 341, 403, 500, 574, 582, 589, 610, 644, 730, 735, 736, 756 and 802.

Sincerely,

Thomas L. Judge
Governor

MOTIONS

Dussault moved that the following rules be adopted for debate on HB 483 on Second Reading. Motion carried. (65-4)

PROPOSED RULES FOR DEBATE OF HB 483

Mr. Speaker: I move that the following special rules be adopted for the purpose of debate on House Bill 483.

1. Each appropriations subcommittee chair will fully explain his portion of the bill without questions or amendments being offered until discussion by all chair is complete. Chair will not be subject to the gag rule.

2. Each of the five sections will then be opened in turn for debate, questions and amendments.

3. Following completion of the debate on each section it will be closed and will not be reopened except by majority vote.

4. When a member moves to reopen a section for amendment, only the amendment of that member will be entertained. Another member wishing to amend the same section will have to remake the motion to reopen the section.

5. Debate on the motion to reopen a section is limited to the question of reopening the section. The amendment itself cannot be debated at that time. This does not prohibit the member from explaining the amendment to be considered.

6. Staff of the Legislative Fiscal Analyst may sit on the floor to advise subcommittee chair.

UNFINISHED BUSINESS

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on House Bill No. 283:

Gilligan, Chairman
Moore
Magone

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on House Amendments to SB 155:

H. Robbins, Chairman
Scully
Porter

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on HB 606:

Gerke, Chairman
Ellis
Waldron

Dussault moved that the House adjourn until 1:00 p.m., March 23, 1979.

Motion carried.

House adjourned at 4:39 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

SIXTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
March 23, 1979

House Chambers
Capitol Building

House convened at 1:01 p.m., Mr. Speaker in the Chair. Invocation by Father Bob Noonan. Pledge of Allegiance to the Flag.

Roll call. All members present except Holmes, Seifert, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Sixty-first Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 3/23/79

Considered correctly engrossed - HB 910.

Will be signed by the Speaker on adjournment, 3/23/79 - SB 74, SB 93, SB 94, SB 100, SB 203, SB 304, SB 455, SJR 10.

Signed by the Speaker on adjournment, 3/22/79 - SB 59, SB 81, SB 83, SB 85, SB 92, SB 149, SB 156, SB 227, SB 276, SB 305, SB 367, SB 432, SB 435, SB 441, SB 467, SJR 18, SJR 21, HB 13, HB 17, HB 20, HB 118, HB 223, HB 241, HB 377, HB 439, HB 457, HB 458, HB 513, HB 514, HB 782, HB 881, HJR 49.

Delivered to the Governor for his approval at 10:24 a.m., 2/23/79 - HB 13, HB 17, HB 20, HB 118, HB 223, HB 241, HB 377, HB 439, HB 457, HB 458, HB 513, HB 514, HB 782, HB 881.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Metcalf, Chairman): 2/23/79

Recommend that the following be employed by the House of Representatives for the 46th Session at the beginning of business March 19, 1979:

Dale Schlamp.....Page
Robin Melle.....Page
Jean Wallace.....Page
Jessie Buchanan.....Page
Diana Miller.....Page
Deanna St. Onge.....Page

At the beginning of business March 21, 1979:

Bill Mercer.....Page
Robert Daily.....Page

At the close of business, March 17 and 30, the following also be terminated:

Matthew McCann.....Page
Casey Johnston.....Page
Carol Engler.....Page
Donna Morrow.....Page
Mary Nordell.....Page
Matt Pelletier.....Page
Patricia Eusterman.....Page

Mark Burnham.....Page
Linda Duffin.....Page
Mike Menahan.....Page

Report adopted.

Do Pass

APPROPRIATIONS (Bardanouve, Chairman): 2/23/79
HB 122, do pass. Report adopted.

TAXATION (Huennekens, Chairman): 2/22/79
HB 496, do pass. Report adopted.

REPORTS OF SELECT COMMITTEES

FREE JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 606
Report No. 1, March 22, 1979

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 606, met March 22, 1979, and considered:

1. Senate Committee on Business and Industry amendments to the third reading copy, dated March 5, 1979, and

2. Senate Committee of the Whole amendments to the third reading copy, dated March 7, 1979.

We recommend that:

1. the Senate recede from Committee amendment number 2 and the House accede to the Committee amendment numbers 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14;

2. the House accede to Committee of the Whole amendment numbers 1 and 2;

3. House Bill 606 be further amended as indicated in CLERICAL INSTRUCTION No. 2;

4. the reference (engrossed) copy of House Bill No. 606 read as specified in the CLERICAL INSTRUCTIONS;

5. the Free Conference Committee Report to House Bill No. 606 be adopted.

CLERICAL INSTRUCTIONS:

1. Title, line 11.
Following: "~~SCHEDULE;~~"
Insert: "PERMITTING ADOPTION OF A FEE SCHEDULE;"

2. Page 7.
Following: line 11
Insert: "SECTION 5. THERE IS A NEW MCA SECTION THAT READS:

Schedule of fees. The board shall adopt a schedule of fees to be charged by the department and to be paid into the earmarked revenue fund for the use of the board. The fees charged must be reasonably related to the cost incurred in regulating the real estate industry."

Renumber: subsequent sections

FOR THE HOUSE:

GERKE
ELLIS
WALDRON

FOR THE SENATE:

GOODOVER
DOVER
REGAN

JOINT CONFERENCE COMMITTEE
ON HOUSE JOINT RESOLUTION NO. 21
Report No. 1, March 22, 1979

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Joint Resolution No. 21, met March 22, 1979, and considered:

1. Senate Committee on Business and Industry amendments to the third reading copy, dated March 6, 1979.

We recommend that:

1. the Senate recede from Committee amendment numbers 1 through 6.

2. the reference (engrossed) copy of House Joint Resolution No. 21 read as specified in the CLERICAL INSTRUCTIONS.

3. the Conference Committee Report to House Joint Resolution No. 21 be adopted.

CLERICAL INSTRUCTIONS:

1. Title, line 11.
Following: "~~COMMITTEE~~"
Strike: "ENVIRONMENTAL QUALITY COUNCIL"
Insert: "LEGISLATIVE COMMITTEE ON PRIORITIES TO APPOINT A STANDING COMMITTEE"

2. Page 2, line 23.
Following: line 22
Strike: "ENVIRONMENTAL QUALITY COUNCIL"
Insert: "Legislative Committee on Priorities"

3. Page 2, line 25.
Following: "~~to~~"
Insert: "appoint a standing committee drawn from the Business and Industry Committees of the House and Senate to"

4. Page 3, line 17.
Following: line 16
Strike: "ENVIRONMENTAL QUALITY COUNCIL"
Insert: "committee"

5. Page 3, lines 22 and 23.
Following: "~~committee~~"
Strike: "ENVIRONMENTAL QUALITY COUNCIL"
Insert: "committee"

6. Page 3, line 25.
Following: line 24
Strike: "ENVIRONMENTAL QUALITY COUNCIL"
Insert: "committee"

FOR THE HOUSE:

FOR THE SENATE:

QUILICI
BENNETT
METCALF

LOWE
BLAYLOCK
DOVER

JOINT CONFERENCE COMMITTEE
ON SENATE BILL NO. 390
Report No. 1, March 21, 1979

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Bill No. 390, met on March 21, 1979, and considered:

House Committee on Business and Industry amendment dated March 7, 1979, third reading bill, and recommend as follows:

That the House recede from amendment number 1.

The reference copy of Senate Bill No. 390 read as specified in the CLERICAL INSTRUCTIONS.

And that the Conference Committee Report to Senate Bill No. 390 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 7, line 18.
Following: "~~2-15-1654.~~"
Insert: "(4) The following agency terminates on July 1, 1985; the state electrical board created by 2-15-1654."

FOR THE HOUSE:

QUILICI
SCHULTZ
DOZIER

FOR THE SENATE:

LOCKREM
HIMSL
JERGESON

MESSAGES FROM THE OTHER HOUSE

The Senate on 3/22/79, dissolved the Conference Committee on Senate Amendments to House Bill No. 606 and appointed a Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 606.

The President appointed the following members:

Senator Goodover, Chairman
Senator Dover
Senator Regan

The Senate on 3/22/79, dissolved the Conference Committee on Senate Amendments to House Bill No. 283 and appointed a Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 283.

The President appointed the following members:

Senator Goodover, Chairman
Senator McCallum
Senator Ryan

House Bills not concurred in and returned to the House: 3/22/79

House Bill No. 338, introduced by Kemmis

House Bill No. 691, introduced by Harrington, Ramirez, Quilici, Kemmis, et al

House Bill No. 801, introduced by Meyer, Roskie

House Bills indefinitely postponed and returned to the House: 3/22/79

House Bill No. 575, introduced by Day, Galt, et al

House Bill No. 623, introduced by Kropp, Johnston, Wyrick

MOTIONS

Scully moved that SB 44, presently on Second Reading, be passed until the Sixty-ninth Legislative Day. Motion carried.

Scully moved that the House reconsider its action taken previously in passing consideration of the Senate Amendments to HB 779 to the Seventy-first Legislative Day, and that they be placed on Second Reading this day. Motion carried.

Dussault moved that SJR 31, presently on Second Reading, be passed until the Seventy-first Legislative Day. Motion carried.

Dussault moved that the House reconsider its action taken previously in passing consideration of the Senate Amendments to HJR 34 and that they be placed on Second Reading this day. Motion carried.

Dussault moved that consideration of the Senate Amendments to the following House Bills be passed until the Seventy-first Legislative Day: HB 77, HB 571, HB 759, HB 842, HB 863, HB 875. Motion carried.

Eudaily moved that SB 462, presently on Third Reading, be placed on Second Reading for the purpose of amendment. Motion carried.

Huennekens moved that the rules be suspended to allow reconsideration of the adoption of the Adverse Committee Report on HB 64, and that the House reconsider their action in adopting the Adverse Committee Report on HB 64. Motion carried. (66-21)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 402 was passed by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ernst, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Harper, Hayne, Hemstad, Hirsch, Huennekens, Iverson, Johnson, Johnston, Kanduch, Keedy, Kessler, Keyser, Kropp, Lien, Lund, McBride, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Smith, South, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.
Total 70

Noes: Ellis, Ellison, Eudaily, Harrington, Kvaalen, Lory, Moore, Nordtvedt, Sales, Spilker, Underdal, Wood.
Total 12

Excused: Holmes, Seifert.
Total 2

Absent or not voting: Azzara, Bardanouve, Burnett, Gesek, Hand, Hurwitz, Jensen, Kemmis, Magone, Quilici, Reichert, Scully, Shelden, Sivertsen, Staigmiller, Yardley.

Total 16

House Bill No. 669 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Harper, Harrington, Hayne, Hirsch, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Shelden, Sivertsen, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 82

Noes: Curtiss, Hemstad, O'Connell, Pistoria, Smith.
Total 5

Excused: Holmes, Seifert.
Total 2

Absent or not voting: Bardanouve, Burnett, Gesek, Hand, Jensen, Lien, Sales, Scully, Staigmiller, Vinger, Yardley.
Total 11

House Joint Resolution No. 51 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Frates, Gilligan, Harper, Harrington, Hemstad, Hirsch, Huennekens, Hurwitz, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Oberg, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Schultz, Shelden, Sivertsen, South, Spilker, Teague, Thoft, Uhde, Vincent, Waldron, Williams, Wyrick, Mr. Speaker.
Total 67

Noes: Conroy, Donaldson, Ellerd, Ellison, Feda, Gould, Hand, Hayne, Iverson, Keyser, Kvaalen, Lien, Moore, O'Connell, K. Robbins, Roth, Sales, Smith, Stobie, Tropila, Underdal, Wood.
Total 22

Excused: Holmes, Seifert.
Total 2

Absent or not voting: Bardanouve, Burnett, Gesek, Jensen, Nordtvedt, Scully, Staigmiller, Vinger, Yardley.
Total 9

House Joint Resolution No. 54 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins,

Rosenthal, Shelden, Sivertsen, South, Spilker, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Mr. Speaker.
Total 79

Noes: Bennett, Frates, Kropp, Roth, Sales, Schultz, Smith, Teague, Wyrick.
Total 9

Excused: Holmes, Seifert.
Total 2

Absent or not voting: Bardanouve, Burnett, Gesek, Hand, Hirsch, Jensen, Scully, Staigmiller, Vinger, Yardley.
Total 10

Senate Bill No. 54 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Harper, Harrington, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Teague, Thoft, Tropila, Uhde, Vincent, Williams, Wood, Wyrick, Mr. Speaker.
Total 86

Noes: Hayne, Smith, Stobie.
Total 3

Excused: Holmes, Seifert.
Total 2

Absent or not voting: Bardanouve, Burnett, Gesek, Hand, Staigmiller, Underdal, Vinger, Waldron, Yardley.
Total 9

Senate Bill No. 88 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 91

Noes: Bertelsen, Gould.
Total 2

Excused: Holmes, Seifert.
Total 2

Absent or not voting: Bardanouve, Burnett, Scully, Staigmiller, Yardley.

Total 5

Senate Bill No. 106 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bertelsen, Brand, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hirsch, Huennekens, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Schultz, Shelden, Sivertsen, South, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Mr. Speaker.
Total 67

Noes: Bennett, Curtiss, Ellerd, Ellison, Feda, Hayne, Hurwitz, Jensen, Kropp, Magone, Moore, Nathe, Nordtvedt, Porter, K. Robbins, Roth, Sales, Smith, Spilker, Stobie, Thoft, Underdal, Vinger, Wood, Wyrick.
Total 25

Excused: Holmes, Seifert.
Total 2

Absent or not voting: Bardanouve, Burnett, Hemstad, Scully, Staigmiller, Yardley.
Total 6

Senate Bill No. 243 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Holmes, Seifert.
Total 2

Absent or not voting: Bardanouve, Burnett, Lien, Yardley.
Total 4

Senate Bill No. 250 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bennett, Bertelsen, Brand, Conroy, Curtiss, Daily, Dassinger, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller,

Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 82

Noes: Bengtson, Cooney, Day, Dussault, Hurwitz, Kemmis, Marks, Nathe, Oberg, Reichert, Smith, Stobie, Vinger.
Total 13

Excused: Holmes, Seifert.
Total 2

Absent or not voting: Bardanouve, Burnett, Yardley.
Total 3

Senate Bill No. 271 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 93

Noes: Marks.
Total 1

Excused: Holmes, Seifert.
Total 2

Absent or not voting: Bardanouve, Burnett, Sivertsen, Yardley.
Total 4

Senate Bill No. 284 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Spilker, Staigmiller, Teague, Thoft, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 87

Noes: Marks, K. Robbins, Smith, Stobie, Tropila.
Total 5

Excused: Holmes, Seifert.
Total 2

Absent or not voting: Bardanouve, Burnett, Cooney, Ellis, South, Yardley.
Total 6

Senate Bill No. 291 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Holmes, Seifert.
Total 2

Absent or not voting: Bardanouve, Burnett, Harrington, Scully, Yardley.
Total 5

Senate Bill No. 323 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Holmes, Seifert.
Total 2

Absent or not voting: Bardanouve, Burnett, Yardley.
Total 3

Senate Bill No. 356 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hemstad, Hirsch, Huennekens, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, Rosenthal, Roth, Scully, Shelden, Sivertsen, South, Spilker, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Mr. Speaker.
Total 72

Noes: Ellerd, Ellison, Ernst, Hayne, Hurwitz, Jensen, Kropp, Lund, Marks, Moore, Nathe, Nordtvedt, K. Robbins, Sales, Schultz, Smith, Staigmiller, Stobie, Thoft, Wood, Wyrick.
Total 21

Excused: Holmes, Seifert.
Total 2

Absent or not voting: Bardanouve, Burnett, Harrington, H. Robbins, Yardley.
Total 5

Senate Bill No. 374 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bertelsen, Brand, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, Rosenthal, Schultz, Shelden, Sivertsen, South, Staigmiller, Teague, Uhde, Vincent, Vinger, Williams, Wood, Mr. Speaker.
Total 72

Noes: Bennett, Curtiss, Ellerd, Ellison, Hayne, Kropp, Marks, Nordtvedt, Porter, K. Robbins, Roth, Sales, Smith, Spilker, Stobie, Thoft, Tropila, Underdal, Waldron, Wyrick.
Total 20

Excused: Holmes, Seifert.
Total 2

Absent or not voting: Bardanouve, Burnett, Gilligan, H. Robbins, Scully, Yardley.
Total 6

Senate Bill No. 404 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 93

Noes: Marks, Smith.
Total 2

Excused: Holmes, Seifert.
Total 2

Absent or not voting: Bardanouve, Burnett, Yardley.
Total 3

Senate Bill No. 412 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Conroy, Curtiss, Daily, Day, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Iverson, Jensen, Johnson, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Roth, Sales, Schultz, Scully, Sivertsen, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick.
Total 73

Noes: Brand, Cooney, Dassinger, Dozier, Dussault, Frates, Harper, Huennekens, Hurwitz, Keedy, Kemmis, Kessler, McBride, Marks, Moore, Oberg, Reichert, Rosenthal, Shelden, Smith, South, Mr. Speaker.
Total 22

Excused: Holmes, Seifert.
Total 2

Absent or not voting: Bardanouve, Burnett, Yardley.
Total 3

Senate Bill No. 431 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Holmes, Seifert.
Total 2

Absent or not voting: Bardanouve, Burnett, Yardley.
Total 3

Senate Bill No. 468 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Holmes, Seifert.
Total 2

Absent or not voting: Bardanouve, Burnett, Wood, Yardley.
Total 4

Senate Bill No. 481 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.
Total 91

Noes: K. Robbins, Smith, Thoft.
Total 3

Excused: Holmes, Seifert.
Total 2

Absent or not voting: Bardanouve, Burnett, Wood, Yardley.
Total 4

Senate Bill No. 482 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.
Total 92

Noes: None.
Total 0

Excused: Holmes, Seifert.
Total 2

Absent or not voting: Bardanouve, Burnett, Johnson, Kemmis, Wood, Yardley.
Total 6

Senate Bill No. 491 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier,

Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.
Total 86

Noes: Johnson, Keedy, Kemmis, Marks, Pavlovich, Pistoria, Reichert, Smith.
Total 8

Excused: Holmes, Seifert.
Total 2

Absent or not voting: Bardanouve, Burnett, Wood, Yardley.
Total 4

Senate Bill No. 516 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Holmes, Seifert.
Total 2

Absent or not voting: Bardanouve, Burnett, Wood, Yardley.
Total 4

Senate Bill No. 519 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Ellison, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kessler, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manuel, Menahan, Metcalf, Meyer, Moore, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, Rosenthal, Scully, Shelden, Sivertsen, South, Staigmiller, Teague, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Mr. Speaker.
Total 69

Noes: Donaldson, Ellerd, Ernst, Eudaily, Feda, Hayne, Kemmis, Keyser, Kropp, Manning, Marks, Nathe, Porter, Ramirez, K. Robbins, Roth, Sales, Schultz, Smith, Spilker, Stobie, Underdal, Vinger, Wyrick.

Total 24

Excused: Holmes, Seifert.
Total 2

Absent or not voting: Bardanouve, Burnett, Nordtvedt, Wood, Yardley.
Total 5

Senate Joint Resolution No. 27 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lund, Magone, Manning, Manuel, Menahan, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Scully, Shelden, South, Spilker, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Mr. Speaker.
Total 76

Noes: Bengtson, Ellis, Feda, Hurwitz, Kropp, Lory, McBride, Marks, Metcalf, Moore, K. Robbins, Schultz, Sivertsen, Smith, Staigmiller, Thoft, Vinger, Wood, Wyrick.
Total 19

Excused: Holmes, Seifert.
Total 2

Absent or not voting: Bardanouve, Ellison, Yardley.
Total 3

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Hirsch in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HJR 56 do pass. (57-34)

That SB 462, reference bill, be amended as follows: (87-0)

1. Page 1, line 21.
Following: "Except"
Strike: remainder of line 21 in its entirety

2. Page 1, line 22.
Following: line 21
Strike: "and part 23 after July 1, 1979"
Insert: "as otherwise provided"

3. Page 2, line 3.
Following: "."
Insert: "(3)"
Following: "first"

Insert: "regular"
Renumber: subsequent subsection

4. Page 2, line 22 through line 1 on page 3.
Strike: line 22 through line 1 on page 3 in their entirety
Renumber: subsequent section

And as amended, be concurred in. (87-0)

That SA to HJR 34 be concurred in. (79-0)

That SA to HB 779 be concurred in. (85-2)

That the Committee rise and report. (Hirsch, Chairman). Report adopted. (82-0)

REPORTS OF STANDING COMMITTEES

Dussault moved that all printing reports be deemed read this day. Motion carried.

BILLS (Metcalf, Chairman): 3/23/79

Correctly enrolled - HB 21, HB 32, HB 235, HB 349, HB 361, HB 399, HB 421, HB 443, HB 486, HB 549, HB 558, HB 619, HB 642, HB 645, HB 648, HB 684, HB 705, HB 805.

Examined by the Sponsor and found to be correct - HB 21, HB 32, HB 235, HB 349, HB 361, HB 399, HB 421, HB 443, HB 486, HB 549, HB 558, HB 619, HB 642, HB 645, HB 648, HB 684, HB 705, HB 805.

Will be signed by the Speaker on adjournment, 3/23/79 - HB 21, HB 32, HB 235, HB 349, HB 361, HB 399, HB 421, HB 443, HB 486, HB 549, HB 558, HB 619, HB 642, HB 645, HB 648, HB 684, HB 705, HB 805.

MOTIONS

Huennekens moved that HB 64, currently listed in Standing Committee Reports, be referred to the Committee on Taxation. Motion carried.

Dussault moved that the House Rules adopted on the Sixty-sixth Legislative Day be amended as follows:

1. Strike: "without questions or amendments being offered until discussion by all chair is complete"

2. Strike: "Each of the five sections"
Insert: "The section"
Strike: "in turn"

3. Add: New 7. "Each member may speak once to each question before the Committee."

Motion carried.

Dussault moved that the House adjourn until 9:00 a.m., March 24, 1979.

Motion carried.

House adjourned at 2:35 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

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OF THE

Forty-Sixth Legislature

OF THE

STATE OF MONTANA

VOLUME III

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Held at Helena, the Seat of Government
Commencing in Regular Session January 3, 1979,
and Ending April 20, 1979.

Harold E. Gerke
Speaker of the House

Martha B. McGee
Chief Clerk of the House

Journal Clerk
Jo Ann Owens

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SIXTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
March 24, 1979

House Chambers
Capitol Building

House convened at 9:00 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Fabrega, Holmes, Lund, Seifert, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Sixty-second Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 3/24/79
Correctly printed - HB 122, HB 496, HB 534.
Considered correctly engrossed - HJR 56.

Signed by the Speaker on adjournment, 3/23/79 - SB 74, SB 93, SB 94, SB 100, SB 203, SB 304, SB 455, SJR 10, HB 21, HB 32, HB 235, HB 349, HB 361, HB 399, HB 421, HB 443, HB 486, HB 549, HB 558, HB 619, HB 642, HB 645, HB 648, HB 684, HB 705, HB 805.

Do Pass

JUDICIARY (Scully, Chairman): 3/23/79
HJR 59, introduced bill, be amended as follows:

1. Title, line 6.
Strike: "MANDATORY"

2. Page 2, line 1.
Strike: "mandatory"

And as amended, do pass. Report adopted.

SB 202, third reading copy, be amended as follows:

1. Page 2.
Following: line 4
Insert: "SECTION 3. THERE IS A NEW MCA SECTION THAT READS:

Location of principal office. The principal office of the judgeship created by [this act] shall be in Lake County."

And as amended, be concurred in. Report adopted.

SB 393, third reading copy, be amended as follows:

1. Page 5, line 21.
Following: "~~region~~"
Insert: ", except such certification is not necessary if the applicant obtains certification from the regional mental health director of his mental health region that the applicant is financially unable to receive evaluation and treatment from the facilities available to the mental health region"

2. Page 10, lines 8 and 9.

Following: "WITHIN"
Strike: "A REASONABLE PERIOD OF TIME"
Insert: "30 days. The county of residence shall pay the cost of travel and professional services associated with the trial"

And as amended, be concurred in. Report adopted.

TAXATION (Huennekens, Chairman): 3/22/79
HB 429, introduced bill, be amended as follows:

1. Title, line 9.
Following: "EXPENSES"
Insert: "AND CAPITAL GAINS"

2. Page 1, line 17.
Following: "15-7-202(1)(a)."
Insert: "The term does not include land for which a mining permit has been issued by the department of state lands or for which a reclamation bond is in effect."

3. Page 1.
Following: line 17
Insert: "(2) 'Department' means the department of agriculture."
Renumber: subsequent subsections

4. Page 2, line 7.
Following: "exceeding"
Strike: "$1 million"
Insert: "$500,000"

5. Page 2, lines 15 and 16.
Following: "exceeding"
Strike: "$1 million"
Insert: "$500,000"

6. Page 10.
Following: line 11
Insert: "(d) the deduction for net capital gain allowed under section 1202 of the Internal Revenue Code, as amended, claimed by:

(i) a qualified individual;

(ii) a nonresident alien; or

(iii) a foreign business;"

And as amended, do pass. Report adopted.

HB 479, introduced bill, be amended as follows: 3/23/79

1. Title, line 5.
Following: "TAX"
Insert: "AND THE TAX ON DIESEL FUEL AND VOLATILE LIQUIDS"

2. Title, line 7.
Following: "15-70-101"
Strike: "AND"
Insert: ","
Following: "15-70-204,"
Insert: "AND 15-70-321,"

3. Page 1, line 19.
Following: "~~$6,500,000~~"

Strike: "$11,500,000"
Insert: "$12,400,000"

4. Page 2, line 1.
Following: "~~$2,950,000~~"
Strike: "$4,945,000"
Insert: "$5,332,000"

5. Page 2, line 14.
Following: "~~$3,550,000~~"
Strike: "$6,555,000"
Insert: "$7,068,000"

6. Page 5, line 1.
Following: page 4, line 25
Insert: "SECTION 3. SECTION 15-70-321, MCA, IS AMENDED TO READ AS FOLLOWS:

'15-70-321. Tax on diesel fuel and volatile liquids. The department shall, under the provisions of rules issued by it, collect or cause to be collected from the owners or operators of motor vehicles a tax in an amount equal to ~~10~~ 11 cents for each gallon of diesel fuel or other volatile liquid, except liquid petroleum gas, of less than 46 degrees A.P.I. (American petroleum institute) gravity test when actually sold or used to produce motor power to propel motor vehicles upon the public highways or streets within the state or used in motor vehicles, motorized equipment, and the internal combustion of any and all engines, including stationary engines, used in connection with any and all work performed under any and all contracts pertaining to the construction, reconstruction, or improvement of any highway or street and their appurtenances awarded by any and all public agencies, including federal, state, county, municipal, or other political subdivisions.'"

And as amended, do pass. Report adopted.

HB 884, introduced bill, be amended as follows:

1. Title, line 6.
Strike: "AND PENALTIES"

2. Title, line 7.
Following: "SECTIONS"
Strike: "15-32-101,"

3. Title, line 8.
Following: "15-32-102"
Strike: ", 15-32-104"

4. Page 5, line 22.
Following: "department"
Insert: "or its agent as established in [section 6]"

5. Page 5, line 23.
Following: "department"
Insert: "or its agent"

6. Page 6, line 6.
Strike: "or waste"

7. Page 6, line 7.
Strike: "tables"
Insert: "table"

8. Page 6, lines 8 and 9.
Strike: lines 8 and 9 in their entirety

9. Page 6, line 24 through line 14 on page 7.
Strike: subsection (2)(b) in its entirety

10. Page 7, line 17.
Following: "conservation"
Strike: "or penalties be applied for energy waste"

11. Page 8, line 7.
Following: "incentives"
Strike: "and penalties"

12. Page 8, line 9.
Following: "incentives"
Strike: "and penalties"

13. Page 8.
Following: line 23
Insert: "(3) The amount of the credit may not exceed the tax liability for the year in which the costs of the system are incurred by the person claiming a credit.

(4) No credit may be claimed for so much of the costs of the renewable energy system as is financed by a state, federal, or private grant.

SECTION 6. THERE IS A NEW MCA SECTION THAT READS:

Application fees. (1) No tax benefit may be received under [sections 4 and 5] unless the taxpayer so requests through procedures adopted by the department.

(2) The eligible taxpayer shall apply to the department or its designated agent and shall submit a fee as described in subsection (3) to cover the costs of evaluating the plans or material describing the renewable energy system. Any portion of the fee not used in evaluating the system must be returned to the applicant.

(3) The following fees must be submitted with an application for adjustment in the taxable value of a building under [section 4] and for tax credits for renewable energy systems under [section 5]:

(a) for evaluations under [section 4]:

(i) 1 ½ % of the first $1,000 of the total cost of the improvement;

(ii) 1% of the next $4,000 of the total cost of the improvement; and

(iii) ½ % of the total cost of the improvement in excess of $5,000;

(b) for evaluations under [section 5] a fee of 1% of the cost of the system."
Renumber: subsequent sections

14. Page 8.
Following: line 24
Insert: "(1)"

15. Page 9, line 2.
Following: "the"
Strike: "following"

16. Page 9, line 3.

Following: "measures"
Strike: ":"
Insert: "enumerated in subsection (2)."

17. Page 9, lines 4 through 18.
Following: line 3
Strike: lines 4 through 18 in their entirety
Insert: "(2) The department shall adopt rules and standards for the installation of the following energy conservation measures:

(a) insulation levels for accessible walls and ceilings or attic spaces;

(b) installation requirements to minimize air infiltration for all windows, doors, and building seams in heated rooms and structures;

(c) insulation levels for all existing water heaters supplemented with alternate energy systems;

(d) maximum water flow rates for water basin faucets and shower heads for new construction;

(e) installation of thermal insulation shutters, storm windows, or double glazing on all windows."

18. Page 13, lines 14 and 15.
Following: "Sections"
Strike: "15-32-101,"
Following: "15-32-102"
Strike: ", 15-32-104"

19. Page 13, line 19.
Following: line 18
Insert: "costs incurred in"

And as amended, do pass. Report adopted.

Adverse Committee Reports

TAXATION (Huennekens, Chairman): 3/22/79
HB 637, do not pass.
HB 814, introduced bill, be amended as follows: 3/23/79

1. Title, line 5.
Following: "INHERITANCE"
Strike: "AND ESTATE"

2. Title, line 6.
Following: "31,"
Strike: "1978"
Insert: "1980"

3. Title, line 8.
Following: "72-16-702,"
Insert: "AND"

4. Title, line 9.
Following: "72-16-805"
Strike: ", 72-16-904, AND 72-16-906"

5. Page 1, line 15.
Following: "31,"
Strike: "1978"
Insert: "1980"

6. Page 1, line 17.

Following: "1,"
Strike: "1979"
Insert: "1981"

7. Page 1, line 21.
Following: "31,"
Strike: "1978"
Insert: "1980"

8. Page 3, line 4.
Following: "31,"
Strike: "1978"
Insert: "1980"

9. Page 3, line 9.
Following: "1,"
Strike: "1979"
Insert: "1981"

10. Page 4, line 3.
Following: "for"
Strike: "pre-1979"
Insert: "pre-1981"

11. Page 5, line 10.
Following: "31,"
Strike: "1978"
Insert: "1980"

12. Page 6, line 18.
Following: "1,"
Strike: "1979"
Insert: "1981"

13. Page 7, line 8.
Following: "1,"
Strike: "1979"
Insert: "1981"

14. Page 7, line 13.
Following: "of"
Strike: "pre-1979"
Insert: "pre-1981"

15. Page 7, line 15.
Following: "1,"
Strike: "1979"
Insert: "1981"

16. Page 8, line 22.
Following: "1,"
Strike: "1979"
Insert: "1981"

17. Page 9, line 3.
Following: line 2
Strike: "pre-1979"
Insert: "pre-1981"

18. Page 9, line 5.
Following: "1,"
Strike: "1979"
Insert: "1981"

19. Page 10, line 18.
Following: "1,"
Strike: "1979"
Insert: "1981"

20. Page 11, line 2.
Following: "1,"
Strike: "1979"
Insert: "1981"

21. Page 11, line 15.
Following: "for"
Strike: "pre-1979"
Insert: "pre-1981"

22. Page 11, line 17.
Following: "1,"
Strike: "1979"
Insert: "1981"

23. Page 12, line 22.
Following: "of"
Strike: "pre-1979"
Insert: "pre-1981"

24. Page 13, line 1.
Following: line 25 on page 12
Strike: "1979"
Insert: "1981"

25. Page 13, line 3.
Following: "1,"
Strike: "1979"
Insert: "1981"

26. Page 15, line 5.
Following: "1,"
Strike: "1979"
Insert: "1981"

27. Page 16, line 7 through page 17, line 5.
Following: line 6
Strike: sections 15 and 16 in their entirety
Renumber: subsequent section

And as amended, do not pass.

HB 830, do not pass. 3/22/79

Lien, Conroy, Roth, Underdal, Manuel, Johnston, Hand, Ellerd, Staigmiller, Smith objected that HB 814 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

Burnett, Curtiss, Staigmiller, Hayne, Wyrick, Underdal, Ernst, Ellerd, Vinger, Nathe objected that HB 830 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

REPORTS OF SELECT COMMITTEES

JOINT CONFERENCE COMMITTEE
ON SENATE BILL NO. 489
Report No. 1, March 21, 1979

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Bill No. 489, met on March 21, 1979, and considered:

House Committee on Business and Industry amendments dated March 7, 1979, third reading bill, and recommend as follows:

1. the House recede from amendment number 1;

2. the Senate accede to amendment numbers 2, 3 and 4.

3. the reference copy of Senate Bill No. 489 read as specified in the CLERICAL INSTRUCTIONS.

And that the Conference Committee Report to Senate Bill No. 489 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 1, line 18.
Following: "~~for a period of 6 years pursuant to 2-8-122~~"
Insert: "for a period of 6 years pursuant to 2-8-122"

FOR THE HOUSE: FOR THE SENATE:

SCULLY RASMUSSEN
IVERSON FASBENDER
JOHNSON BOB BROWN

MESSAGES FROM THE OTHER HOUSE

House Bill not concurred in and returned to the House: 3/23/79

House Bill No. 900, introduced by Bardanouve, Kvaalen, Vincent, et al

House Bill indefinitely postponed and returned to the House: 3/23/79

House Bill No. 774, introduced by Seifert, Moore, Feda, Marks

House Bills and House Joint Resolution concurred in as amended and returned to the House for concurrence in Senate Amendments: 3/23/79

House Bill No. 259, introduced by Tropila, Ramirez, Harper, Stobie

House Bill No. 350, introduced by Vincent

House Bill No. 438, introduced by Ramirez, Tropila, Marks, Keyser, et al

House Bill No. 442, introduced by Meyer, Hirsch, South, et al

House Bill No. 452, introduced by Conroy, Scully, Quilici, et al

House Bill No. 454, introduced by Spilker

House Bill No. 475, introduced by Kemmis, Regan, Galt, Yardley, et al

House Bill No. 579, introduced by Fagg, Dozier, Manning

House Bill No. 596, introduced by Metcalf

House Bill No. 616, introduced by Meyer, Roskie

House Bill No. 620, introduced by Lory

House Bill No. 712, introduced by Cooney

House Bill No. 717, introduced by Bardanouve

House Bill No. 737, introduced by Keedy

House Bill No. 749, introduced by Frates, Cooney, McBride, Uhde, et al

House Bill No. 833, introduced by McBride

House Bill No. 864, introduced by Daily, Manuel

House Joint Resolution No. 19, introduced by Teague, Dozier, Fabrega, Ramirez, Holmes, et al

Senate Bill passed as amended and transmitted to the House for concurrence: 3/23/79

Senate Bill No. 358, introduced by Regan, Lowe, Conover, Hager, et al

Governor's Amendments to Senate Bill adopted and transmitted to the House for concurrence in Governor's Amendments: 3/23/79

Senate Bill No. 78, introduced by Van Valkenburg

House Amendments to Senate Bills concurred in: 3/23/79

House Amendments to Senate Bill No. 346, introduced by Towe, Quilici, Lowe

House Amendments to Senate Bill No. 422, introduced by Hager, Healy

House Bills concurred in and returned to the House: 3/23/79

House Bill No. 15, introduced by Quilici

House Bill No. 473, introduced by Rosenthal, Nordtvedt, Fabrega, Tropila

House Bill No. 553, introduced by O'Connell, Quilici, Daily, Fabrega, et al

House Bill No. 687, introduced by Brand, Hayne, Ellison, et al

House Bill No. 696, introduced by Dozier

House Bill No. 722, introduced by Dozier

House Bill No. 762, introduced by Spilker

House Bill No. 827, introduced by Ellis, Lory

House Bill No. 840, introduced by McBride, Palmer, et al

The Senate on 3/23/79, failed to concur in House Amendments to Senate Bill No. 497 and appointed a Conference Committee and requested the House of Representatives to appoint a like committee to confer on House Amendments to Senate Bill No. 497.

The President appointed the following members:

Senator Etchart, Chairman
Senator Manley
Senator Van Valkenburg

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House joint resolutions were introduced, read first time and referred to committees:

HJR 61, introduced by Ernst, Conover, Underdal, Nathe, Iverson, Johnston, Dover. Referred to Committee on Agriculture, Livestock and Irrigation.

HJR 62, (introduced by House Agriculture Committee), Day, Chairman. Referred to Committee on Agriculture, Livestock and Irrigation.

The following Senate bill was introduced, read first time and referred to committee:

SB 358, introduced by Regan, Lowe, Conover, Hager, Thomas, Towe, Blaylock. Referred to Committee on Taxation.

MOTIONS

Dussault moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on House Amendments to SB 497. Motion carried.

Huennekens moved that SB 200, presently on Third Reading, be returned to Second Reading for the purpose of amendment. Motion carried.

Harper moved that the Conference Committee on Senate Amendments to HB 603 be dissolved, and that the Speaker be authorized to appoint a Free Conference Committee to meet with a like committee from the Senate on HB 603. Motion carried.

Brand moved that HB 867 be taken from the Committee on Appropriations and placed on Second Reading. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 910 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Harper, Harrington, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 86

Noes: Conroy, Curtiss, Gould, Hand, Hayne, Smith, Stobie, Uhde, Wyrick.
Total 9

Paired: Hirsch, Aye; Uhde, No.

Excused: Fabrega, Holmes, Lund, Seifert.
Total 4

Absent or not voting: Burnett.
Total 1

House Bill No. 116 was passed by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz,

Iverson, Jensen, Johnson, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Thoft, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 83

Noes: Anderson, Conroy, Gould, Hand, Johnston, Lien, Sales, Smith, Stobie, Teague.
Total 10

Excused: Fabrega, Holmes, Lund, Seifert.
Total 4

Absent or not voting: Burnett, Keedy, Uhde.
Total 3

Senate Bill No. 2 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Fabrega, Holmes, Lund, Seifert.
Total 4

Absent or not voting: Burnett, Keedy, Uhde.
Total 3

Senate Bill No. 65 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Fabrega, Holmes, Lund, Seifert.
Total 4

Absent or not voting: Burnett, Pistoria, Uhde.
Total 3

Senate Bill No. 217 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Ellerd, Ellis, Ellison, Ernst, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Meyer, Moore, Nathe, Nordtvedt, Oberg, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Stobie, Teague, Thoft, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 81

Noes: Dussault, Kemmis, Marks, Metcalf, O'Connell, Rosenthal, Smith, Staigmiller, Tropila, Waldron.
Total 10

Excused: Fabrega, Holmes, Lund, Seifert.
Total 4

Absent or not voting: Burnett, Donaldson, Eudaily, K. Robbins, Uhde.
Total 5

Senate Bill No. 229 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Williams, Wyrick, Yardley, Mr. Speaker.
Total 85

Noes: Bennett, Ellerd, Frates, Moore, Nordtvedt, Sales, Smith, Waldron, Wood.
Total 9

Excused: Fabrega, Holmes, Lund, Seifert.
Total 4

Absent or not voting: Burnett, Uhde.
Total 2

Senate Bill No. 352 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kessler, Keyser, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan,

Metcalf, Nathe, Oberg, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Scully, Shelden, Sivertsen, South, Spilker, Teague, Tropila, Underdal, Vincent, Williams, Yardley.
Total 69

Noes: Bennett, Ellerd, Feda, Hemstad, Kemmis, Kropp, Marks, Meyer, Moore, Nordtvedt, O'Connell, Porter, K. Robbins, Roth, Sales, Schultz, Smith, Staigmiller, Stobie, Thoft, Vinger, Waldron, Wood, Wyrick, Mr. Speaker.
Total 25

Excused: Fabrega, Holmes, Lund, Seifert.
Total 4

Absent or not voting: Burnett, Uhde.
Total 2

Senate Bill No. 380 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Scully, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Schultz.
Total 1

Excused: Fabrega, Holmes, Lund, Seifert.
Total 4

Absent or not voting: Burnett, Sivertsen, Uhde.
Total 3

Senate Bill No. 397 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Magone, Manning, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 84

Noes: Dussault, Huennekens, McBride, Manuel, Metcalf, Scully, Vincent, Yardley.
Total 8

Excused: Fabrega, Holmes, Lund, Seifert.
Total 4

MONTANA LEGISLATIVE COUNCIL
LIBRARY

Absent or not voting: Bardanouve, Burnett, Day, Uhde.
Total 4

Senate Bill No. 520 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Huennekens, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 84

Noes: Hayne, Hurwitz, Jensen, Kvaalen, Meyer, Moore, Nathe, Smith, Stobie, Thoft.
Total 10

Paired: Uhde, Aye; Stobie, No.

Excused: Fabrega, Holmes, Lund, Seifert.
Total 4

Absent or not voting: Burnett, Hirsch.
Total 2

Senate Joint Resolution No. 14 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, McBride, Magone, Manning, Manuel, Meyer, Nathe, Oberg, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Sivertsen, South, Spilker, Staigmiller, Thoft, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 73

Noes: Donaldson, Ellison, Harper, Lory, Metcalf, Moore, Nordtvedt, Rosenthal, Sales, Scully, Shelden, Smith, Teague, Uhde, Wood.
Total 15

Paired: Hirsch, Aye; Uhde, No.

Excused: Fabrega, Holmes, Lund, Seifert.
Total 4

Absent or not voting: Burnett, Feda, Marks, Menahan, O'Connell, Roth, Schultz, Stobie.
Total 8

Senate Amendments to House Bill No. 779 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda,

Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 85

Noes: Hayne, Marks, Underdal.
Total 3

Excused: Fabrega, Holmes, Lund, Seifert.
Total 4

Absent or not voting: Burnett, Ellerd, Nordtvedt, Reichert, Smith, Stobie, Uhde, Wood.
Total 8

Senate Amendments to House Joint Resolution No. 34 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 87

Noes: Ellis, Lory, Marks, Moore, Smith.
Total 5

Excused: Fabrega, Holmes, Lund, Seifert.
Total 4

Absent or not voting: Bennett, Burnett, Nordtvedt, Uhde.
Total 4

Ellerd moved that his vote on SA to HB 779 be recorded as aye instead of absent. Motion carried unanimously.

O'Connell moved that her vote on HB 116 be changed from aye to nay. Motion carried unanimously.

Feda moved that his vote on SB 2 be recorded as aye instead of absent. Motion carried unanimously.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules adopted for this particular sitting. Motion carried.

Moore in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

HOUSE BILL NO. 483
LEGISLATIVE-JUDICIAL-ADMINISTRATIVE AGENCIES SECTION

Kvaalen replaced Moore in the Chair.

Moore back in the Chair.

That Gerke's amendment do pass. Motion failed. (30-62)

That Waldron's amendment do pass. Motion failed. (40-48)

That Waldron's amendment do pass. Motion failed. (9-83)

That Gerke's amendment do pass. Motion failed. (45-48)

That Quilici's amendment, reading as follows, do pass: (61-28)

1. Page 9, line 6.
Strike: "310,270 320,090"
Insert: "438,500 458,800"

That Yardley's amendment do pass. Motion failed. (30-56)

That Ellerd's amendment, reading as follows, do pass: (54-37)

1. Page 15.
Following: line 17
Insert: "9. Travel Promotion
600,000 600,000"

2. Page 15, line 19.
Strike: "201,377,056 218,661,900"
Insert: "201,977,056 219,261,900"

That Donaldson's amendment do pass. Motion failed. (22-69)

That Burnett's amendment do pass. Motion failed. (24-64)

That Menahan's amendment, reading as follows, do pass: (81-2)

1. Page 20.
Following: line 16
Insert: "The intent of the legislature is that all office space rentals in Helena be based on competitive bid."

Gerke moved that the House reconsider its action in failing to pass his amendment with regard to funding the Legislative Fiscal Analyst's office. During discussion it was questioned as to whether this motion was in order. The Chair ruled that it would be, if a majority of the committee voted for it. Marks then appealed the ruling of the Chair. After some discussion, Lien made a substitute motion to rise and report and beg leave to sit again. This motion failed. (35-56) After the Chair explained that they were on Marks' motion appealing his ruling, Gerke withdrew his previous motion. The Chair ruled that the debate on this section was not closed and another amendment was in order.

That Gerke's amendment do pass. Motion failed. (45-52)

That Ellison's amendment do pass. Motion failed. (35-56)

That Lien's amendment do pass. Motion failed. (37-48)

House recessed at 1:25 p.m.

House reconvened at 1:32 p.m.

HUMAN SERVICES SECTION

That Gould's amendment do pass. Motion failed. (40-54)

That Gould's amendment do pass. Motion failed. (29-62)

That Dassinger's amendment, reading as follows, do pass: (72-22)

1. Page 22, line 20.
Strike: " 3,013,609 3,029,976"
Insert: " 8,544,332 7,578,398"

2. Page 22, line 25.
Strike: " 3,120,705 3,139,937"
Insert: " 8,651,428 7,688,359"

3. Adjust: totals to conform to above changes

4. Page 22.
Following: line 25
Insert: "Included within other appropriated funds are $5,530,723 and $4,548,422 in the respective fiscal years for coal impact grants made under provisions of 90-6-205 (4)."

That Conroy's amendment do pass. Motion failed. (36-57)

That Tropila's amendment do pass. Motion failed. (43-52)

Tropila requested that the record show that his amendment was for more FTE's.

That Manning's amendment do pass. Motion failed. (37-52)

Menahan's amendment was withdrawn.

That Manning's amendment, reading as follows, do pass: (82-11)

1. Page 25, lines 14 through 17.
Strike: lines 14 through 17 in their entirety

That Menahan's amendment, reading as follows, do pass: (87-1)

1. Page 24, line 21.
Strike: "34,797,446 17,826,298 37,191,559 18,094,781"
Insert: "34,999,946 17,623,798 37,394,059 17,892,281"
Adjust: totals to conform to above changes

2. Page 25.
Following: line 22
Insert: "In the amount revenues from other than general fund for aging services programs exceed $3,013,217 each year of the biennium general fund shall revert."

That Ellison's amendment, reading as follows, do pass: (46-38)

1. Page 25.
Following: line 2
Insert: "The department is authorized to employ 4 field representatives."

Fagg excused at this time.

Dussault moved that the Committee rise and report their progress, and beg leave to sit again. Motion carried.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 3/24/79

Correctly printed - HB 299, HB 269, HB 830.
Correctly engrossed - HB 297.
Correctly enrolled - HB 591, HB 600, HB 815.

Examined by the Sponsor and found to be correct - HB 591, HB 600, HB 815.

Will be signed by the Speaker on adjournment, 3/24/79 - HB 591, HB 600, HB 815.

Delivered to the Governor for his approval at 9:55 a.m., 3/24/79 - HB 21, HB 32, HB 235, HB 349, HB 361, HB 399, HB 421, HB 443, HB 486, HB 549, HB 558, HB 619, HB 642, HB 645, HB 648, HB 684, HB 705, HB 805.

Do Pass

TAXATION (Huennekens, Chairman): 3/24/79

HB 137, introduced bill, be amended as follows:

1. Title, line 5.
Following: "TO"
Strike: "10%"
Insert: "11%"

2. Page 2, line 3.
Following: "at"
Strike: "10%"
Insert: "11%"

And as amended, do pass. Report adopted.

HB 213, introduced bill, be amended as follows:

1. Title, line 8.
Following: "15-24-301,"
Strike: "15-24-505, 15-24-506,"

2. Page 4, lines 13 through 20.
Following: line 12
Strike: line 13 through "(c)" on line 20
Insert: "(a)"
Reletter: subsequent subsections

3. Page 4, line 24.
Following: "[section"
Strike: "6"
Insert: "7"

4. Page 5, lines 12 through 20.
Following: "(2)"
Strike: the rest of line 12 through "(3)" on line 20
Renumber: subsequent subsections

5. Page 5, line 21.
Following: "to"
Strike: "abate"
Insert: "reduce"

6. Page 5, line 22.
Following: "removing,"

Insert: "reducing,"

7. Page 5, line 25 through page 6, line 1.
Following: "shall"
Strike: "promulgate rules identifying equipment meeting this definition"
Insert: "determine if such utilization is being made"

8. Page 7.
Following: line 11
Insert: "SECTION 6. THERE IS A NEW MCA SECTION THAT READS AS FOLLOWS:

Class six property — description — taxable percentage. (1) Class six property includes:

(a) business inventories as defined in this section;

(b) all unprocessed agricultural products on the farm or in storage except:

(i) all perishable fruits and vegetables in farm storage and owned by the producer; and

(ii) livestock and poultry and the unprocessed products of both.

(2) 'Business inventories' includes goods intended for sale or lease in the ordinary course of business and raw materials and work in progress with respect to such goods. Business inventories do not include goods leased or rented or mobile homes held by a dealer or distributor as part of his stock in trade. The market value of business inventories, for property tax purposes, is the cost to the person subject to the inventory tax.

(3) Class six property is taxed at 4% of its market value."

9. Page 7, line 12.
Following: "Section"
Strike: "6"
Insert: "7"
Following: "Class"
Strike: "six"
Insert: "seven"

10. Page 7, line 13.
Following: "Class"
Strike: "six"
Insert: "seven"

11. Page 8, line 14.
Following: "Class"
Strike: "six"
Insert: "seven"

12. Page 8, line 16.
Following: "Section"
Strike: "7"
Insert: "8"
Following: "Class"
Strike: "seven"
Insert: "eight"

13. Page 8, line 17.

Following: "Class"
Strike: "seven"
Insert: "eight"

14. Page 9, line 9.
Following: "Class"
Strike: "seven"
Insert: "eight"

15. Page 9, line 11.
Following: "Section"
Strike: "8"
Insert: "9"
Following: "Class"
Strike: "eight"
Insert: "nine"

16. Page 9, line 12.
Following: "Class"
Strike: "eight"
Insert: "nine"

17. Page 9, line 22.
Following: "section;"
Strike: "and"
Insert: "(f) x-ray and medical and dental equipment; and"
Reletter: subsequent subsection

18. Page 10, line 2.
Following: "Class"
Strike: "eight"
Insert: "nine"

19. Page 10.
Following: line 3
Strike: lines 4 through 8 in their entirety

20. Page 10, line 20.
Following: "class"
Strike: "six"
Insert: "seven"

21. Page 11, line 1.
Following: line 25 on page 10
Strike: "seven or eight"
Insert: "eight or nine"

22. Page 11, lines 2 and 3.
Following: line 1
Strike: lines 2 and 3 in their entirety
Reletter: subsequent subsections

23. Page 12, line 7.
Following: "subsection"
Strike: "(1)(e)"
Insert: "(1)(c)"

24. Page 18, line 8.
Following: "[section 1]"
Strike: ","
Insert: "and"

25. Page 18, line 9.

Following: "through"
Strike: "8], and [section"

26. Page 18, line 12.
Following: "[section 1]"
Strike: ","
Following: "~~and~~"
Insert: "and"

27. Page 18, line 13.
Following: "~~eighteen~~"
Strike: "eight, and class"

28. Page 18, line 15.
Following: "[section 1]"
Strike: ","
Insert: "and"

29. Page 18, line 16.
Following: "~~15-6-119~~ [section"
Insert: "8], and [section"

30. Page 18, line 19.
Following: "[section 2],"
Insert: "and"
Following: "[section 3]"
Strike: ", and [section 9]"

31. Page 19.
Following: line 9
Strike: lines 10 and 11 in their entirety

32. Page 19, line 19.
Following: "two"
Strike: ","
Insert: "and"

33. Page 19, lines 19 and 20.
Following: "three"
Strike: ", and nine"

34. Page 19, line 22.
Following: "2"
Strike: ","
Insert: "and"
Following: "3"
Strike: ", and 9"

35. Page 23, line 4.
Following: "class"
Strike: "seven"
Insert: "eight"

36. Page 23, line 9.
Following: "class"
Strike: "seven"
Insert: "eight"

37. Page 23, line 11 through line 1 on page 27.
Following: line 10 on page 23
Strike: line 11 on page 23 through line 1 on page 27 in their entirety
Renumber: subsequent sections

And as amended, do pass. Report adopted.

HB 398, introduced bill, be amended as follows:

1. Page 3, line 5.
Following: "at"
Strike: "6%"
Insert: "12%"

2. Page 3, line 6.
Following: "of"
Strike: "6%"
Insert: "12%"

3. Page 3, line 12.
Following: "$1,000"
Strike: "10%"
Insert: "0%"

4. Page 3, line 13.
Following: "2,000"
Strike: "20%"
Insert: "10%"

5. Page 3, line 14.
Following: "3,000"
Strike: "30%"
Insert: "20%"

6. Page 3, line 15.
Following: "4,000"
Strike: "40%"
Insert: "30%"

7. Page 3, line 16.
Following: "5,000"
Strike: "50%"
Insert: "40%"

8. Page 3, line 17.
Following: "6,000"
Strike: "60%"
Insert: "50%"

9. Page 3, line 18.
Following: "7,000"
Strike: "70%"
Insert: "60%"

10. Page 3, line 19.
Following: "8,000"
Strike: "80%"
Insert: "70%"

11. Page 3, line 20.
Following: "9,000"
Strike: "90%"
Insert: "80%"

12. Page 3, line 21.
Following: "10,000"
Strike: "100%"
Insert: "90%"

And as amended, do pass. Report adopted.

HB 427, do pass. Report adopted. 3/23/79
HB 550, introduced bill, be amended as follows: 3/24/79

1. Page 2, line 22 through page 3, line 17.
Following: line 21, page 2
Strike: subsections (h) and (i) in their entirety
Insert: "(h) 5% to the earmarked revenue fund to the credit of a trust fund for the purpose of parks acquisition or management, protection of works of art in the state capitol, and other cultural and aesthetic projects. Income from this trust fund shall be appropriated as follows;

(i) ⅓ for protection of works of art in the state capitol and other cultural and aesthetic projects; and

(ii) ⅔ for the acquisition of sites and areas described in 23-1-102 and the operation and maintenance of sites so acquired."
Reletter: subsequent subsection

2. Page 3, line 22.
Following: "(1)"
Strike: remainder of line 22 through line 24 in their entirety
Insert: "Any person, association, or representative of a governing unit seeking a grant for a cultural or aesthetic project from the income of the trust fund created in 15-35-108 must submit a grant proposal to the board of trustees of the Montana historical society by December 1 of the year preceding the convening of a legislative session."

3. Page 4, line 1.
Following: "shall"
Strike: "recommend"
Insert: "present"

4. Page 4, line 2.
Following: "list of"
Strike: "grants"
Insert: "grant proposals"

5. Page 4, line 6.
Following: line 5
Strike: "recommended grants"
Insert: "grant proposals"

6. Page 4, line 14.
Following: "(1)"
Strike: remainder of line 14 through line 16 in their entirety
Insert: "Any person, association, or representative of a governing unit may submit a proposal for the acquisition of a site or area described in 23-1-102 from the income of the trust fund created in 15-35-108 to the department of fish and game by December 1 of the year preceding the convening of a legislative session."

7. Page 4, line 17.
Following: "shall"
Strike: "recommend"
Insert: "present"

8. Page 4, line 19.
Following: "that"
Strike: "it would like to"

Insert: "were proposed for"

And as amended, do pass. Report adopted.

HB 821, introduced bill, be amended as follows:

1. Page 1, line 19.
Following: "(b)"
Strike: "Small"
Insert: "New small"

2. Page 1, line 22.
Following: "prices"
Insert: "or to manufacture goods as defined in 15-6-119(2)(c)(i)(C)"
Following: ";"
Strike: "and"

3. Page 1, line 24.
Following: "15-31-201"
Strike: "."
Insert: "; and

(iii) established in an economically depressed area as a new business endeavor as distinguished from a mere expansion, reorganization, merger, or change in ownership of an existing small business."

And as amended, do pass. Report adopted.

HB 831, introduced bill, be amended as follows:

1. Title, line 6.
Following: "TAXES"
Insert: "OF PROPERTY NOT EXCEEDING 10 ACRES OWNED BY A NONPROFIT ORGANIZATION"

2. Title, line 8.
Following: "OBLIGATIONS"
Insert: "; CLARIFYING THE EXEMPTION FOR PROPERTY OWNED BY NONPROFIT ORGANIZATIONS; AMENDING SECTION 15-6-209, MCA; AND PROVIDING AN EFFECTIVE DATE"

3. Page 1, line 14.
Following: "county"
Insert: "of a nonprofit organization not exceeding 10 acres, including improvements thereon,"
Following: "determines"
Insert: ", after a public hearing upon 2 weeks notice published in a newspaper of general circulation in the county,"

4. Page 1.
Following: line 20
Insert: "Section 2. Section 15-6-209, MCA, is amended to read:

'15-6-209. Community services buildings exempt. (1) The building and appurtenant land, not exceeding 1 acre, owned by a nonprofit community service organization is exempt from property taxation, except as provided in subsections (3) and (4), if such organization:

(a) is a lodge of a nationally recognized fraternal organization and does not sell food or beverages under license from the state of Montana;

(b) furnishes services to senior citizens in the form of daytime or evening educational or recreational activities and does not furnish living accommodations to such citizens or sell food or beverages under license from the state of Montana; services qualifying under this provision must be recognized in the state plan on aging adopted by the department of social and rehabilitation services; or

(c) primarily furnishes facilities without charge, except that a minimal fee may be charged for janitorial services or the cost of operating the facility, for public meetings and entertainments.

(2) An applicant for exemption under this section shall demonstrate that it has been an active community service organization continuously from January 1, 1976.

(3) A building and lot exempted under this section shall be appraised, assessed, and subject to levies for any special improvement district if the special improvement directly benefits the building or lot.

(4) The exemption provided under this section may not be extended to any property owned by a community service organization described herein which is leased in whole or in part to any person for business or profit-making purposes.'

Section 3. Effective date. This act is effective on passage and approval."

And as amended, do pass. Report adopted.

HB 915, introduced bill, be amended as follows: 3/23/79

1. Page 1, line 18.
Following: "taxes"
Strike: "and"
Insert: "or"

2. Page 1, line 23.
Following: "tax"
Strike: "and"
Insert: "or"

3. Page 1, line 25.
Following: "notes."
Insert: "(1)"

4. Page 2, line 1.
Following: "[Section 1]"
Strike: "and"
Insert: "may not exceed an aggregate of $100 million and no more than $50 million of such notes may be"

5. Page 2, line 2.
Following: "time"
Strike: "prior to June 30, 1981, may not exceed $50 million"

6. Page 2.
Following: line 2
Insert: "(2) No notes may be issued after June 30, 1981."

And as amended, do pass. Report adopted.

Adverse Committee Reports

TAXATION (Huennekens, Chairman): 3/23/79
HB 477, do not pass.
HB 497, do not pass.
HB 592, do not pass. 3/24/79
HB 848, do not pass.
HB 871, do not pass.

REPORTS OF SELECT COMMITTEES

FREE JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 283
Report No. 1, March 22, 1979

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 283, met March 22, 1979, and considered:

1. Senate Committee on Education amendments to the third reading copy, dated March 3, 1979, and

2. Senate Committee of the Whole amendments to the third reading copy, dated March 7, 1979.

We recommend that:

1. the House accede to Committee amendment number 1;

2. the Senate recede from Committee of the Whole amendment number 2 and the House accede to Committee of the Whole amendment number 1;

3. House Bill No. 283 be further amended as indicated in CLERICAL INSTRUCTION number 2;

4. the reference (engrossed) copy of House Bill 283 read as specified in the CLERICAL INSTRUCTIONS;

5. the Free Conference Committee Report to House Bill No. 283 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 1, lines 23 through 25.
Following: "FEES"
Strike: ", UNLESS SUCH EDUCATION IS OFFERED AS LEADING EDUCATIONAL CREDENTIALS"

2. Page 1, line 19.
Following: "~~CONTINUING~~ ~~CONTINUING~~"
Insert: "nonbasic ongoing"

FOR THE HOUSE:	FOR THE SENATE:
GILLIGAN	GOODOVER
MOORE	MCCALLUM
MAGONE	RYAN

JOINT CONFERENCE COMMITTEE
ON SENATE BILL NO. 458
Report No. 1, March 23, 1979

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Bill No. 458, met on March 23, 1979, and considered:

House Committee on Business and Industry amendment dated March 7, 1979, third reading bill, and recommend as follows:

That the House recede from amendment number 1.

That the reference copy of Senate Bill No. 458 read as specified in the CLERICAL INSTRUCTIONS.

And that the Conference Committee Report to Senate Bill No. 458 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 6, line 9.
Following: "~~2-15-1655.~~"
Insert: "(4) The following agency terminates on July 1, 1985: the board of plumbers created by 2-15-1655."

FOR THE HOUSE:	FOR THE SENATE:
TROPILA	HIMSL
BAETH	HEALY
JENSEN	ROSKIE

MOTIONS

Dussault moved that the House Taxation Committee be excused at this time for a meeting. Motion carried.

Dussault moved that the Conference Committee Reports on Senate Amendments to HB 606 and HJR 21 and the House Amendments to SB 390 be passed for consideration until the Seventy-first Legislative Day. Motion carried.

Dussault moved that SB 200, presently on Second Reading, be passed for the day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules adopted for the previous sitting. Motion carried.

Moore in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

HOUSE BILL NO. 483, Continued
NATURAL RESOURCES AND BUSINESS REGULATION SECTION

That Manuel's amendment, reading as follows, do pass: (67-1)

1. Page 27, line 20.

Strike:	"68,632	286,450	80,393	251,804"
Insert:	"80,899	274,183	82,368	249,829"

That Bardanouve's amendment, reading as follows, do pass: (59-5)

1. Page 29.
Following: line 25
Insert: "None of the funds appropriated by this act to the Department of Fish and Game may be spent until the director has disposed

of the department's Cessna 180 airplane (No. 2151Z) or transferred such aircraft to the state aeronautics pool provided for in 67-2-201, MCA."

That Manuel's amendment, reading as follows, do pass: (64-5)

1. Page 34, line 14.
Strike: " 1,833,558 1,880,498"
Insert: " 1,971,513 2,049,918"
Adjust: totals to conform to above changes

2. Page 35.
Following: line 22
Insert: "It is the intention of the Legislature that the state's share to implement the schools and hospitals program of the Energy Conservation Policy Act of 1978 be financed from the interest derived from the resource indemnity trust account."

Taxation Committee present at this time.

That Quilici's amendment, reading as follows, do pass: (75-15)

1. Page 36, line 3.
Strike: "890,415"
Insert: "970,415"
Adjust: totals to conform to above change

Taxation Committee excused at this time.

INSTITUTIONS SECTION

That Yardley's amendment, reading as follows, do pass: (75-0)

1. Page 40, line 5.
Strike: "132,201 133,202"
Insert: "167,244 168,245"
Adjust: totals to conform to above changes

That Yardley's amendment, reading as follows, do pass: (71-4)

1. Page 40, line 8.
Strike: "3,266,057"
Insert: "3,281,674"
Adjust: totals to conform to above changes

Taxation Committee present at this time.

That Marks' amendment do pass. Motion failed. (24-69)

Lory replaced Moore in the Chair.

Moore back in the Chair.

That Gesek's amendment do pass. Motion failed. (30-56)

That Yardley's amendment, reading as follows, do pass: (75-11)

1. Page 44, lines 5 through 7.
Following: "system."
Strike: remainder of lines 5 through 7 in their entirety

That Brand's amendment do pass. Motion failed. (36-50)

That Yardley's amendment, reading as follows, do pass: (75-6)

1. Page 44, line 24.

Following: "available"
Insert: ", except as provided by law or the conditions under which the federal or other revenue is generated"

That Menahan's amendment do pass. Motion failed. (38-49)

That Yardley's amendment do pass. Motion failed. (37-49)

Scully moved that HB 483 be passed for the day. Motion failed. (41-48)

That Bardanouve's amendment do pass. Motion failed. (43-46)

That Dussault's amendment, reading as follows, do pass: (49-42)

1. Page 46, line 25.
Strike: "34,455 34,616"
Insert: "38,837 39,165"
Adjust: totals to conform to above changes

EDUCATION SECTION

Bennett, Underdal excused at this time.

That Daily's amendment, reading as follows, do pass: (50-46)

1. Page 47, line 18.
Strike: "392,422"
Insert: "442,422"
Strike: "396,582"
Insert: "446,582"

2. Page 47, line 25.
Strike: "471,393"
Insert: "536,643"
Strike: "503,622"
Insert: "568,872"

3. Page 48, line 2.
Strike: "49,587"
Insert: "57,087"
Strike: "53,339"
Insert: "60,839"

4. Page 48, line 4.
Strike: "12,413"
Insert: "14,663"
Strike: "13,397"
Insert: "15,647"

5. Adjust: totals to conform to above changes

That Tropila's amendment do pass. Motion failed. (33-54)

That Gould's amendment do pass. Motion failed. (42-45)

South moved that Kemmis' amendments be divided, that amendments 7, 8, and 9 be separated from the whole amendments and that they be voted upon separately. Motion carried. (45-44)

Sales excused at this time.

That Kemmis' amendments 1, 2, 3, 4, 5, 6, 10, 11, 12, 13, 14, 15, and 16, reading as follows, do pass: (51-48)

1. Page 56, line 4.

Strike: "21,130 22,457"
Insert: "21,553 22,891"

2. Page 56, line 6.
Strike: "21,130 22,457"
Insert: "21,553 22,891"

3. Page 56, line 8.
Strike: "19,017 20,211"
Insert: "19,398 20,602"

4. Page 56, line 10.
Strike: "19,017 20,211"
Insert: "19,398 20,602"

5. Page 56, line 12.
Strike: "19,017 20,211"
Insert: "19,398 20,602"

6. Page 56, line 15.
Strike: "19,968 21,222"
Insert: "20,368 21,632"

10. Page 59, line 14.
Strike: "11,557,740 12,667,769"
Insert: "11,790,954 12,907,684"

11. Page 60, line 13.
Strike: "9,786,515 10,734,933"
Insert: "9,979,129 10,933,081"

12. Page 61, line 23.
Strike: "3,659,163 3,974,421"
Insert: "3,723,689 4,040,815"

13. Page 62, line 23.
Strike: "1,596,449 1,740,001"
Insert: "1,626,075 1,770,448"

14. Page 63, line 20.
Strike: "1,875,099 2,033,752"
Insert: "1,906,211 2,065,765"

15. Page 64, line 17.
Strike: "1,134,537 1,230,054"
Insert: "1,149,514 1,245,466"

16. Adjust: totals to conform to above changes

That Kemmis' amendments 7, 8, and 9, reading as follows, do pass: (53-43)

7. Page 58, line 11.
Strike: "512,350 551,907"
Insert: "519,872 560,061"

8. Page 58, line 13.
Strike: "516,345 553,311"
Insert: "524,553 562,152"

9. Page 58, line 15.
Strike: "911,395 975,530"
Insert: "925,418 990,604"

Lory replaced Moore in the Chair.

Moore back in the Chair.

That Lien's amendment do pass. Motion failed. (31-57)

Nordtvedt's amendment was withdrawn.

That Kanduch's amendment do pass. Motion failed. (42-44)

That Yardley's amendment do pass. Motion failed. (41-41)

That Nathe's amendment do pass. Motion failed. (34-50)

That Nordtvedt's amendment do pass. Motion failed. (23-62)

Kvaalen moved that the Legislative-Judicial-Administrative and Natural Resources and Business Regulation Sections be reopened for the purpose of amendment. Motion failed. (31-54)

That HB 483, as amended, do pass. (73-19)

Dussault moved that the Committee rise and report. Motion carried. Moore moved that the Committee of the Whole Report be deemed read. Motion failed. After reading of the Committee of the Whole Report, Moore moved adoption of the report. Motion carried. (72-16) Report adopted.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 3/24/79
Correctly printed - HB 427, HB 814, HJR 59.

Will be signed by the Speaker on adjournment, 3/24/79 - SB 70, SB 80, SB 126, SB 394, SB 406, SB 454, SB 473, SB 498, SJR 28.

Do Pass

APPROPRIATIONS (Bardanouve, Chairman): 3/23/79
HB 273, introduced bill, be amended as follows:

1. Page 1, line 22.
Following: "appropriated from"
Strike: "the general fund or from"

2. Page 1, line 23.
Following: "account"
Strike: ", as determined by the House Appropriations Committee"

And as amended, do pass. Report adopted.

HB 356, introduced bill, be amended as follows: 3/24/79

1. Title, line 8.
Following: "AMENDING"
Strike: "SECTION"
Insert: "SECTIONS"
Following: "19-8-504"
Insert: "AND 87-1-601"

2. Page 1, line 12.
Following: "contribution."
Strike: "(1)"

3. Page 1, line 15.
Following: "salaries"
Insert: ","
Following: "and"
Strike: ","

4. Page 1, lines 17 through 24.
Following: "87-1-601,"
Strike: lines 17 through 24 in their entirety
Insert: "all such collections until the unfunded liability in the account is solvent and a verification statement to that effect is given to the state treasurer by the board."

5. Page 1.
Following: line 24
Insert: "SECTION 2. SECTION 87-1-601, MCA, IS AMENDED TO READ:

'87-1-601. Use of fish and game moneys. (1) All moneys collected or received from the sale of hunting and fishing licenses or permits, from the sale of seized game or hides, or from ~~fines,~~ damages collected for violation of the fish and game laws of this state, from appropriations, or received by the department from any other state source shall be turned over to the state treasurer and placed by him in the earmarked revenue fund to the credit of the department. ~~Out of any fine imposed by a court for the violation of the fish and game laws, the costs of prosecution shall be paid to the county where the trial was held in any case where this fine is not imposed in addition to the costs of prosecution.~~ Any moneys received from federal sources shall be deposited in the federal and private revenue fund to the credit of the department.

(2) Those moneys shall be exclusively set apart and made available for the payment of all salaries, per diem, fees, expenses, and expenditures authorized to be made by the department under the terms of this title. Those moneys shall be spent for those purposes by the department, subject to appropriation by the legislature.

(3) Any reference to the fish and game fund in this code means fish and game moneys in the earmarked revenue fund and federal and private revenue fund.

(4) All moneys collected or received from fines and forfeited bonds relating to violations of state fish and game laws under Title 87, shall be deposited by the state treasurer and credited to the department of fish and game in an earmarked revenue fund account for this purpose. Out of any fine imposed by a court for the violation of the fish and game laws, the costs of prosecution shall be paid to the county where the trial was held in any case where the fine is not imposed in addition to the costs of prosecution.'"

And as amended, do pass. Report adopted.

HB 357, introduced bill, be amended as follows:

1. Page 1, line 11 through line 12 on page 2.
Strike: section 1 in its entirety
Renumber: subsequent sections

2. Page 2, line 24 through line 1 on page 3.
Following: "(1)"
Strike: remainder of line 24 through line 1 on page 3 in their entirety
Insert: "'Department' means the department of administration provided for in 2-15-1001."

3. Page 3, line 17.
Following: "1981;"
Insert: "and"

4. Page 3, line 18.
Following: "expenditure"
Strike: "; and"
Insert: "."

5. Page 3, line 19.
Strike: line 19 in its entirety

6. Page 3, line 23.
Following: "for"
Strike: ":"
Insert: "management personnel responsible for administering the unit's budget."

7. Page 3, line 24 through line 2 on page 4.
Strike: subsections (3)(a) and (3)(b) in their entirety

8. Page 4, line 23.
Following: "the"
Strike: "committee"
Insert: "department"

9. Page 5, line 10.
Following: "the"
Strike: "committee"
Insert: "department"

10. Page 5, line 22.
Following: "the"
Strike: "committee"
Insert: "department"

11. Page 6, line 2.
Following: line 1
Strike: "committee"
Insert: "department"

12. Page 6, lines 7 through 9.
Following: "program."
Strike: remainder of lines 7 through 9 in their entirety

13. Page 6, line 13.
Following: "of the"
Strike: "committee"
Insert: "department"

14. Page 6, line 17.
Following: "The"
Strike: "committee"
Insert: "department"

15. Page 7, line 23.
Following: line 22
Strike: "committee"
Insert: "department"

16. Page 8, line 3.
Following: line 2
Strike: "committee"
Insert: "department"

17. Page 8, line 9.
Following: line 8

Strike: "committee"
Insert: "department"

18. Page 8, line 11.
Following: "the"
Strike: "committee"
Insert: "department"

19. Page 8, line 14.
Following: "sum"
Strike: "equal"
Insert: "up"

20. Page 8, line 15.
Following: "reduction"
Insert: "pending availability of funds. This incentive payment is not to be considered a permanent salary increase to be carried into subsequent years"

21. Page 9, line 1.
Following: "awards"
Insert: ", subject to available cash balance and restrictions imposed by the federal government on the use of federal money"

22. Page 9, line 5.
Following: "the"
Strike: "committee's"
Insert: "department's"

And as amended, do pass. Report adopted.

HB 472, introduced bill, be amended as follows:

1. Title, line 4.
Following: "APPROPRIATE"
Strike: "$12,200"
Insert: "$6,200"

2. Page 1, line 13.
Strike: line 13 in its entirety

3. Page 1, line 14.
Strike: "Fiscal Year"
Insert: "For the biennium"
Strike: "$6,600"
Insert: "$6,200"

And as amended, do pass. Report adopted.

HB 692, do pass. Report adopted.
HB 754, introduced bill, be amended as follows:

1. Page 1, line 11.
Strike: "$40,000"
Insert: "$35,000"

And as amended, do pass. Report adopted.

HB 760, introduced bill, be amended as follows:

1. Page 1, line 25.
Strike: "actual and necessary expenses incurred"
Insert: "the sum of $10 per day"

2. Page 2, lines 14 and 15.

Following: "county the"
Strike: "actual and necessary expenses incurred"
Insert: "sum of $10 per day"

And as amended, do pass. Report adopted.

HB 773, third reading copy, be amended as follows:

1. Title, line 6.
Following: "PROGRAM"
Strike: "ON FLATHEAD LAKE"

2. Page 1, lines 13 and 14.
Following: "owners"
Strike: "on Flathead Lake"

3. Page 2, line 4.
Following: "operators"
Strike: "on Flathead Lake"

And as amended, do pass. Report adopted.

HB 807, introduced bill, be amended as follows: 3/23/79

1. Page 2.
Following: page 1, line 25
Insert: "**NEW SECTION.** Section 2. Reimbursement. The Department of Natural Resources shall seek reimbursement from the Federal Department of Agriculture for amounts owed the state."
Renumber: subsequent section

And as amended, do pass. Report adopted.

HB 849, do pass. Report adopted. 3/24/79
HB 868, introduced bill, be amended as follows:

1. Page 3, line 1.
Following: line 25 on page 2
Insert: "**NEW SECTION.** Section 5. Administrative duties of department. The department of social and rehabilitation services:

(1) shall adopt rules necessary to carry out the purposes of [this act];

(2) may spend no more than 5% of the appropriated funds for administrative costs of the program;

(3) shall accept federal funds that may be available for use in carrying out the provisions of [this act];

(4) may use state funds as a match for federal funds if required; and

(5) may conduct research and compile statistics relating to battered spouses and domestic violence."

And as amended, do pass. Report adopted.

STATEMENT OF INTENT RE: House Bill No. 868

House Bill No. 868, as amended, which establishes a grant program for locally controlled battered spouses and domestic violence programs, delegates rulemaking authority to the department of social and rehabilitation services for administration of the act.

The rules necessary to effectuate this act include those:

(1) establishing criteria for a project's eligibility to receive grants according to section 3;
(2) establishing criteria for services to be included in the program under section 4;
(3) providing procedures for application for grants;
(4) providing for distribution of grant funds.

/s/Bardanouve

HB 894, introduced bill, be amended as follows:

1. Page 1, line 11.
Strike: "general"
Insert: "federal and private revenue"

And as amended, do pass. Report adopted.

HB 903, introduced bill, be amended as follows:

1. Page 1, line 18.
Strike: line 18 in its entirety
Insert: "Federal Bureau of Recreation Account $138,000"

2. Page 1, line 19.
Strike: "Resource Indemnity Trust Earmarked Revenue Account"
Insert: "Private Donations"

And as amended, do pass. Report adopted.

HB 905, do pass. Report adopted.
HB 913, introduced bill, be amended as follows:

1. Title, line 4.
Following: "APPROPRIATING"
Strike: "$125,000"
Insert: "$100,000"

2. Page 1, line 13.
Following: "1980"
Strike: "$62,500"
Insert: "$50,000"

3. Page 1, line 14.
Following: "1981"
Strike: "$62,500"
Insert: "$50,000"

And as amended, do pass. Report adopted.

HB 914, do pass. Report adopted.
HJR 39, do pass. Report adopted.

JUDICIARY (Scully, Chairman): 3/23/79
SB 221, third reading copy, be amended as follows:

1. Page 2, line 17.
Following: "sections"
Strike: "14"
Insert: "12"

2. Page 2, line 18.
Following: line 17
Strike: "32"
Insert: "30"

3. Page 3.
Following: line 7
Insert: "(1) 'Child' or 'dependent child' means any person under 18 years of age who is not otherwise emancipated, self-supporting, married, or a member of the armed forces of the United States."
Renumber: subsequent subsections

4. Page 3, lines 9 through 12.
Strike: subsection (2) in its entirety
Renumber: subsequent subsections

5. Page 5, lines 15 through 17.
Following: "action of"
Strike: "the person obligated for support of any minor child in that person's custody"
Insert: "the dependent child or the person having legal custody of the dependent child"

6. Page 6, line 1.
Following: "any"
Insert: "civil"

7. Page 6, line 11.
Following: "support"
Insert: "debt"

8. Page 6, line 18.
Strike: "prosecute or"

9. Page 6, line 19.
Following: "maintain any"
Strike: "support"
Insert: "civil"

10. Page 6, line 22.
Following: "court"
Strike: "enters judgment by order for"

11. Page 6, line 23.
Following: "by"
Strike: "an obligor"
Insert: "a responsible"

12. Page 7, line 2.
Following: "support orders"
Strike: ","
Insert: "and"
Following: "maintenance orders"
Strike: ","

13. Page 7, line 3.
Strike: "and alimony orders"

14. Page 7, lines 15 through 19.
Strike: subsection (11) in its entirety

15. Page 7, line 25 through line 5, page 8.
Following: "support."
Strike: remainder of line 25 through line 5, page 8 in their entirety

16. Page 8, line 15.
Following: "with the"
Insert: "parent,"

Following: "custodian"
Insert: ","

17. Page 8, line 16.
Following: "no"
Insert: "parent,"
Following: "custodian"
Insert: ","

18. Page 9, line 16.
Following: "assistance"
Insert: "in the absence of a support order"

19. Page 10, lines 16 through 21.
Strike: section 8 in its entirety
Renumber: subsequent sections

20. Page 13, lines 16 through 23.
Strike: section 12 in its entirety
Renumber: subsequent sections

21. Page 14, lines 3 and 4.
Following: "by the"
Strike: "natural or adoptive"
Insert: "responsible"

22. Page 14, lines 4 and 5.
Strike: "who are responsible for the support of such children"

23. Page 14, line 6.
Following: "paid."
Insert: "In the case of an adoptive parent or parents, no debt for public assistance paid may accrue prior to the date of adoption."

24. Page 14, lines 12 and 13.
Following: "and"
Strike: "the department"
Insert: "any state agency"

25. Page 15, line 19.
Strike: "lien and foreclosure or"

26. Page 16, line 21.
Following: "section"
Strike: "13"
Insert: "11"

27. Page 17, line 13.
Following: line 12
Strike: "13"
Insert: "11"

28. Page 17, line 14.
Following: "SECTION"
Strike: "18"
Insert: "16"

29. Page 18, line 4.
Following: "["
Strike: "sections 19"
Insert: "section 17"

30. Page 18, line 24.

Following: "~~16 and 17~~"
Strike: "15 AND 16"
Insert: "13 and 14"

31. Page 21, line 17.
Following: "section"
Strike: "13"
Insert: "11"

32. Page 21, line 19.
Following: "section"
Strike: "13"
Insert: "11"

33. Page 21, line 22.
Following: "section"
Strike: "10"
Insert: "9"

34. Page 22, line 14.
Following: "~~23~~"
Strike: "27"
Insert: "25"

35. Page 22, line 15.
Following: "section"
Strike: "13"
Insert: "11"

36. Page 23, line 21.
Following: "section"
Strike: "14"
Insert: "12"

37. Page 23, line 23.
Following: "sections"
Strike: "15 and 16"
Insert: "13 and 14"

38. Page 30, line 14.
Following: "~~26~~"
Strike: "19"
Insert: "17"

39. Page 30, line 20.
Following: "wages"
Insert: "or the value of the distrained property, whichever is less"

40. Page 36, line 13.
Following: "section"
Strike: "13"
Insert: "11"

41. Page 36, line 18.
Following: "Section 27."
Strike: "Findings and order by department"
Insert: "Administrative findings and order"

42. Page 36, line 19 through line 9, page 37.
Strike: subsection (1) in its entirety
Renumber: subsequent subsections

43. Page 38, line 4.

Following: "chapter"
Insert: "2."

44. Page 38, line 17.
Following: "asset."
Insert: "In the event a warrant of distraint has been filed and the support debt has subsequently been charged off as uncollectible, the department shall issue a release of lien."

Further respectfully report that Senate Bill No. 221, Statement of Intent, be amended as follows:

1. Page 2, line 8.
Following: "section"
Strike: "13(4)"
Insert: "12(4)"

And as amended, be concurred in. Report adopted.

TAXATION (Huennekens, Chairman): 3/24/79
HB 385, introduced bill, be amended as follows:

1. Title, line 6.
Following: "ESTABLISHING"
Strike: "MIDDLE BOOK"
Insert: "AVERAGE TRADE-IN"

2. Page 2, line 20.
Following: line 19
Strike: "middle"
Insert: "average trade-in"

3. Page 4, line 11.
Following: "their"
Strike: "middle book"
Insert: "average trade-in"

4. Page 4, line 14.
Following: "this"
Strike: "middle"
Insert: "average trade-in"

5. Page 4, line 16.
Following: "of"
Strike: "6%"
Insert: "4%"

6. Page 4, line 23.
Following: "is"
Strike: "not"

7. Page 4, line 24.
Following: "jurisdictions"
Strike: ". Local"
Insert: "; however, local"

8. Page 4, line 25.
Following: "property."
Insert: "The department of revenue or its agent shall furnish to each county in accordance with Title 15, chapter 8, part 7, the taxable value of automobiles and light trucks taxed in the county to be used for all purposes except mill levies. The taxable value is determined by applying a 20% classification against the average trade-in value."

And as amended, do pass. Report adopted.

HB 509, introduced bill, be amended as follows:

1. Page 10.
Following: line 18
Insert: "SECTION 5. SECTION 15-7-122, MCA, IS AMENDED TO READ:

'15-7-122. Temporary authority to exceed mill levy limitations. Taxing jurisdictions may adopt and levy for a budget equal to ~~105%~~ 110% of the preceding year's budget, statutory mill levy limitations notwithstanding, unless the taxable valuation therein has increased to a level which would allow statutory mill levies to produce a budget equal to ~~105%~~ 110% of the preceding year's budget.'"
Renumber: subsequent section

And as amended, do pass. Report adopted.

HB 568, third reading copy, be amended as follows:

1. Title, line 12.
Following: ";"
Insert: "PROVIDING THAT THE FEE INCREASES AND THE FUNDING OF THE VARIOUS PROGRAMS FROM THE FEE INCREASES TERMINATES ON JUNE 30, 1981;"

2. Page 5, line 21.
Following: "(1)"
Strike: "Whenever"
Insert: "When"

3. Page 5, lines 22 and 23.
Following: "vehicle"
Strike: "IN 1982 AND THEREAFTER"
Insert: "except in the case of a statewide issue of new plates,"

4. Page 7.
Following: line 2
Insert: "(3) Any fund balance remaining in the motor vehicle recording account at the end of a biennium that has not been appropriated for that biennium must be transferred to the general fund.

SECTION 6. THERE IS A NEW MCA SECTION THAT READS:

Termination of fee increases and disposition of fees. (1) The provisions of this act relating to fee increases and disposition of fees terminate on June 30, 1981. Thereafter, the fees and the distribution of fees shall be as provided in sections 61-3-203, 61-3-204, 61-3-321, and 61-3-333, MCA, as those statutes existed on February 1, 1979.

(2) Section 5 of this act terminates on June 30, 1981."

And as amended, do pass. Report adopted.

HB 916, introduced bill, be amended as follows:

1. Title, line 5.
Following: "MAKE"
Insert: "CHIEF EXECUTIVE"

2. Title, lines 5 and 6.
Following: "CORPORATIONS"
Strike: "JOINTLY AND SEVERALLY"

3. Title, line 6.
Following: "LIABLE"
Strike: "WITH THE CORPORATION"

4. Title, line 7.
Following: "WITHHELD"
Insert: "BY A CORPORATION"

5. Title, line 7.
Following: "EMPLOYEES"
Insert: "IF THE ASSETS OF THE CORPORATION ARE INSUFFICIENT TO PAY THE AMOUNT OWED THE STATE"

6. Page 1, lines 16 and 17.
Following: "corporation"
Strike: ", an officer thereof who"
Insert: "that"

7. Page 1, lines 18 and 19.
Following: "employees"
Strike: "is jointly and severally"
Insert: ", the chief executive officers of the corporation are"

8. Page 1, line 19.
Following: "liable"
Strike: "with the corporation"

9. Page 1, line 20.
Following: "withheld"
Insert: "by the corporation"

10. Page 1, line 21.
Following: "thereto"
Insert: "if the assets of the corporation are insufficient to pay the amount owed the state"

And as amended, do pass. Report adopted.

Adverse Committee Reports

APPROPRIATIONS (Bardanouve, Chairman): 3/23/79
HB 123, do not pass.
HB 451, do not pass. 3/24/79
HB 653, do not pass.
HB 665, do not pass.
HB 679, do not pass.
HB 690, do not pass.
HB 752, introduced bill, be amended as follows:

1. Title, line 5.
Following: "PURPOSE OF"
Strike: "ESTABLISHING AND"

2. Title, line 7.
Following: "STUDENTS"
Insert: "DURING THE FISCAL YEAR 1981 UPON THE CONDITION THAT SUFFICIENT FUNDS ARE OBTAINED TO ESTABLISH AND OPERATE THE PROGRAM DURING THE FISCAL YEAR 1980."

3. Page 1, line 12.
Following: "purpose of"
Strike: "establishing and"

4. Page 1, line 17.
Following: line 16
Strike: "Fiscal"

5. Page 1, line 18.
Following: line 17
Strike: "Year 1980"

6. Page 1, line 21.
Strike: "$213,202"

7. Page 1, line 22.
Strike: "45,500"

8. Page 1, line 23.
Strike: "43,200"

9. Page 1, line 24.
Strike: "421,000"

10. Page 2, line 1 through line 4.
Strike: section 2 in its entirety
Insert: "Section 2. Contingent upon funds from other sources. (1) The funds appropriated for the fiscal year 1981 are contingent upon the receipt of enough funds from other sources to establish and operate the program during the fiscal year 1980.

(2) The approximate amounts necessary to establish and operate the program during the fiscal year 1980 are as follows:

Personal services	$213,202
Operating expenses	45,500
Capital	43,200
Construction	421,000
Total	$722,902"

And as amended, do not pass.

HB 828, do not pass.
HB 838, do not pass.
HB 892, do not pass.
HB 907, do not pass.
HB 908, do not pass.
HB 911, do not pass.
HB 917, do not pass.

TAXATION (Huennekens, Chairman): 3/24/79
HB 758, introduced bill, be amended as follows:

1. Title.
Following: line 4
Strike: "CORPORATION WITH 25 SHAREHOLDERS OR MORE"
Insert: "PERSON"

2. Page 4, line 5.
Following: "a"
Strike: "corporation with 25 shareholders or more"
Insert: "person"

3. Page 4, line 6.
Following: "the"

Strike: "corporation"
Insert: "person"

And as amended, do not pass.

Metcalf, McBride, Vincent, Cooney, Harrington, Dozier, Manning, Harper, Johnson, Frates objected that HB 679 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

Kanduch, Waldron, Conroy, Pavlovich, Bertelsen, Quilici, Marks, Hirsch, Pistoria, Gilligan objected that HB 690 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

Hemstad, Fabrega, Anderson, Bengtson, Tropila, Gilligan, Metcalf, Pavlovich, McBride, Vincent objected that HB 838 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

MESSAGES FROM THE OTHER HOUSE

The Senate on 3/24/79, requested the return of the following House Bill for further consideration:

House Bill No. 900, introduced by Bardanouve, Kvaalen, Vincent, et al

MOTIONS

Vincent moved that the Journal reflect that Bengtson be allowed to change her vote from nay to aye on Lien's amendment to HB 483. Motion carried unanimously.

Dussault moved that the Governor's Amendments to SB 78 be placed on Second Reading on the Seventy-first Legislative Day. Motion carried.

Dussault moved that the House accede to the request of the Senate and return HB 900. Motion carried.

UNFINISHED BUSINESS

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on House Amendments to SB 497:

Metcalf, Chairman
Ellison
Hirsch

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on HB 603:

Harper, Chairman
Sivertsen
Pavlovich

MOTIONS

Nathe moved that Lund be recorded as voting aye on Nathe's amendment to HB 483. Motion carried unanimously.

Dussault moved that the House adjourn until 1:00 p.m., March 26, 1979.

Motion carried.

House adjourned at 9:20 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

SIXTY-NINTH LEGISLATIVE DAY

Helena, Montana
March 26, 1979

House Chambers
Capitol Building

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Conroy, Fabrega, Hurwitz, Kanduch, Lund, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Sixty-third Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 3/26/79

Correctly printed - HB 137, HB 273, HB 356, HB 357, HB 385, HB 398, HB 429, HB 472, HB 479, HB 509, HB 550, HB 568, HB 679, HB 690, HB 692, HB 754, HB 760, HB 773, HB 807, HB 821, HB 831, HB 838, HB 849, HB 868, HB 884, HB 894, HB 903, HB 905, HB 913, HB 914, HB 915, HB 916, HJR 39.

Correctly engrossed - HB 483.

Signed by the Speaker on adjournment, 3/24/79 - HB 591, HB 600, HB 815, SB 70, SB 80, SB 126, SB 394, SB 406, SB 454, SB 473, SB 498, SJR 28.

Adverse Committee Reports

Bertelsen, Curtiss, Nathe, Schultz, H. Robbins, Kropp, Metcalf, Kessler, Rosenthal, McBride objected that HB 907 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

MESSAGES FROM THE OTHER HOUSE

The Senate on 3/24/79, dissolved the Conference Committee on Senate Amendments to House Bill No. 603 and appointed a Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 603.

The President appointed the following members:

Senator Galt, Chairman
Senator Anderson
Senator Van Valkenburg

House Bills concurred in as amended and returned to the House for concurrence in Senate Amendments: 3/24/79

House Bill No. 453, introduced by South

House Bill No. 456, introduced by Eudaily, Scully

House Bill No. 460, introduced by Thoft, Donaldson, Bengtson, Iverson, Anderson

House Bill No. 532, introduced by Pavlovich, Daily, Harrington, Cooney, et al

House Bill No. 624, introduced by Marks, Iverson, Keyser, Lory, Ellison, Vinger, et al

House Bill No. 675, introduced by Metcalf, Thomas, Kolstad, Hayne

House Bill No. 771, introduced by Dussault (by request of the Dept. of Social and Rehabilitation Services)

House Bill No. 819, introduced by Gould, Roth, Iverson, Waldron

House Bill No. 836, introduced by Scully, Roth

House Bill No. 853, introduced by Azzara, Cooney, Bardanouve

House Bills and House Joint Resolution concurred in and returned to the House: 3/24/79

House Bill No. 317, introduced by Bardanouve

House Bill No. 380, introduced by Kemmis

House Bill No. 481, introduced by Nathe, Johnston, Iverson, Conroy, et al

House Bill No. 778, introduced by Keedy

House Bill No. 874, introduced by Yardley, Lund

House Joint Resolution No. 45, introduced by Shelden (By request of Natural Resources Committee)

House Amendments to Senate Bills concurred in: 3/24/79

House Amendments to Senate Bill No. 132, introduced by Blaylock, Stephens

House Amendments to Senate Bill No. 225, introduced by Ryan

House Amendments to Senate Bill No. 256, introduced by Lensink

House Amendments to Senate Bill No. 409, introduced by Regan, Lensink, Dussault

House Amendments to Senate Bill No. 426, introduced by Stimatz, Ryan

Conference Committee Report adopted: 3/24/79

Conference Committee Report on Senate Amendments to House Bill No. 100

MOTIONS

Marks moved that the House accede to the request of the Senate and return HB 316 for further consideration. Motion failed. (25-54)

Dussault moved that the Conference Committee Reports on HB 283, House Amendments to Senate Bills 458 and 489, presently on Second Reading, be passed until the Seventy-first Legislative Day. Motion carried.

Dussault moved that the House request the Senate to return SB 232 for further consideration. Motion carried.

Dussault moved that the Senate Amendments to the following House Bills, currently on Second Reading, be passed until the Seventy-first Legislative Day: HB 259, HB 350, HB 438, HB 442, HB 452, HB 454, HB 475, HB 579, HB 596, HB 616, HB 620. Motion carried.

Dussault moved that the following bills, currently on Second Reading, be placed above HB 122: HB 273, HB 356, HB 357, HB 472, HB 659, HB 690, HB 692, HB 754, HB 760, HB 773, HB 807, HB 838, HB 849, HB 868, HB 894, HB 903, HB 905, HB 913, HB 914, HJR 39. Motion carried.

Dussault moved that the following bills, currently on Second Reading, be placed after SB 393: HB 137, HB 385, HB 398, HB 429, HB 479, HB 509, HB 550, HB 568, HB 821, HB 831, HB 884, HB 915, HB 916. Motion carried.

Scully moved that the House reconsider its action on HB 483 on Second Reading the Sixty-eighth Legislative Day, and that HB 483 be placed on Second Reading for the purpose of amendment. Motion carried. (53-45)

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 3/26/79
Correctly printed - HB 213.

Adverse Committee Reports

Menahan, Harrington, Quilici, Daily, Pavlovich, Kanduch, Uhde, Cooney, Johnston, Metcalf objected that HB 848 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

Quilici, Harrington, Pavlovich, Daily, Cooney, Johnston, Gilligan, Tropila, Menahan, Lien objected that HB 908 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

MOTIONS

Dussault moved that the following Senate Amendments to House Bills, presently on Second Reading, be passed until the Seventy-first Legislative Day: HB 712, HB 717, HB 737, HB 749, HB 833, HB 864, HJR 19. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 297 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Brand, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Eudaily, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hemstad, Hirsch, Iverson, Jensen, Johnson, Johnston, Kemmis, Kessler, Keyser, Lien, Lory, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Roth, Sales, Seifert, Shelden, Sivertsen, Thoft, Tropila, Uhde, Underdal, Vinger, Waldron, Williams, Yardley, Mr. Speaker.
Total 65

Noes: Bertelsen, Dassinger, Dussault, Ernst, Fagg, Hayne, Holmes, Huennekens, Keedy, Kropp, Kvaalen, Magone, Metcalf, Nordtvedt, Ramirez, Rosenthal, Schultz, Smith, South, Spilker, Staigmiller, Stobie, Teague, Vincent, Wood, Wyrick.
Total 26

Excused: Fabrega, Hurwitz, Kanduch, Lund.
Total 4

Absent or not voting: Bardanouve, Burnett, Harper, McBride, Scully.
Total 5

House Joint Resolution No. 56 was passed by the following vote:

Ayes: Anderson, Bengtson, Bennett, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Ellis, Ellison, Ernst, Eudaily, Feda, Gesek, Gilligan, Gould, Hand, Hayne, Hemstad, Holmes, Iverson, Johnston, Keyser, Kropp, Kvaalen, Lory, Manuel, Marks, Menahan, Meyer, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, K. Robbins, Roth, Schultz, Seifert, Sivertsen, Spilker, Stobie, Teague, Thoft, Tropila, Vincent, Vinger, Williams, Wyrick, Mr. Speaker.
Total 54

Noes: Azzara, Baeth, Bardanouve, Bertelsen, Brand, Cooney, Dozier, Dussault, Ellerd, Fagg, Frates, Harper, Harrington, Hirsch, Huennekens, Jensen, Johnson, Keedy, Kemmis, Kessler, Lien, McBride, Magone, Manning, Metcalf, Moore, Oberg, Porter, Ramirez, Rosenthal, Sales, Scully, Shelden, Smith, South, Staigmiller, Uhde, Underdal, Waldron, Yardley.
Total 40

Excused: Fabrega, Hurwitz, Kanduch, Lund.
Total 4

Absent or not voting: Burnett, Wood.
Total 2

Senate Bill No. 170 was concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bertelsen, Conroy, Curtiss, Dassinger, Day, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Marks, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Ramirez, Reichert, H. Robbins, K. Robbins, Schultz, Scully, Seifert, Sivertsen, Smith, South, Spilker, Teague, Thoft, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 61

Noes: Baeth, Brand, Cooney, Daily, Donaldson, Dozier, Ellerd, Ellis, Harrington, Hayne, Hemstad, Lory, McBride, Magone, Manning, Manuel, Menahan, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Rosenthal, Roth, Staigmiller, Stobie, Tropila, Underdal, Yardley.
Total 30

Excused: Fabrega, Hurwitz, Kanduch, Lund.
Total 4

Absent or not voting: Bennett, Burnett, Dussault, Sales, Shelden.
Total 5

Senate Bill No. 301 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie,

Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: Curtiss.
Total 1

Excused: Fabrega, Hurwitz, Kanduch, Lund.
Total 4

Absent or not voting: Burnett.
Total 1

Senate Bill No. 425 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Eudaily, Feda, Frates, Gesek, Gilligan, Hand, Harper, Hayne, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, McBride, Manuel, Menahan, Metcalf, Nathe, Nordtvedt, Oberg, Pistoria, Porter, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Shelden, South, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 68

Noes: Brand, Conroy, Daily, Ellerd, Ernst, Fagg, Gould, Harrington, Hemstad, Keyser, Magone, Manning, Marks, Meyer, Moore, O'Connell, Pavlovich, Quilici, K. Robbins, Roth, Schultz, Scully, Seifert, Smith, Spilker, Thoft.
Total 26

Excused: Fabrega, Hurwitz, Kanduch, Lund.
Total 4

Absent or not voting: Burnett, Sivertsen.
Total 2

Senate Bill No. 462 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Fabrega, Hurwitz, Kanduch, Lund.
Total 4

Absent or not voting: Burnett.
Total 1

Senate Bill No. 515 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Fabrega, Hurwitz, Kanduch, Lund.
Total 4

Absent or not voting: Burnett.
Total 1

Senate Joint Resolution No. 8 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Hayne, Hemstad, Hirsch, Iverson, Jensen, Johnston, Keyser, Kropp, Lien, Lory, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.
Total 65

Noes: Bardanouve, Brand, Cooney, Dozier, Dussault, Ellis, Frates, Harper, Harrington, Holmes, Huennekens, Johnson, Keedy, Kemmis, Kessler, Kvaalen, McBride, Metcalf, Nordtvedt, Oberg, Reichert, Rosenthal, Scully, Shelden, Spilker, Uhde, Vincent, Waldron, Yardley.
Total 29

Excused: Fabrega, Hurwitz, Kanduch, Lund.
Total 4

Absent or not voting: Azzara, Burnett.
Total 2

MOTIONS

Scully moved that HB 483 be placed at the top of the Second Reading board this day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Hirsch in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Lund present at this time.

Scully moved that HB 483 be placed below HB 472 on the Second Reading board this day. Motion carried.

Fabrega present at this time.

That HB 273 do pass. (80-9)

That HB 356 do pass. (76-8)

That HB 357 do pass. (68-19)

That HB 472 do pass. (60-26)

That House Bill No. 483, third reading copy, be amended as follows:

That Scully's amendment, reading as follows, do pass: (52-46)

1. Page 58, line 4.
Strike: "21,553 22,891"
Insert: "21,130 22,457"

2. Page 58, line 7.
Strike: "21,553 22,891"
Insert: "21,130 22,457"

3. Page 58, line 10.
Strike: "19,398 20,602"
Insert: "19,017 20,211"

4. Page 58, line 13.
Strike: "19,398 20,602"
Insert: "19,017 20,211"

5. Page 58, line 16.
Strike: "19,398 20,602"
Insert: "19,017 20,211"

6. Page 58, line 20.
Strike: "20,368 21,632"
Insert: "19,968 21,222"

7. Page 60, line 17.
Strike: "519,872 560,061"
Insert: "512,350 551,907"

8. Page 60, line 20.
Strike: "524,553 562,152"
Insert: "516,345 553,311"

9. Page 60, line 23.
Strike: "925,418 990,604"
Insert: "911,395 975,530"

10. Page 61, line 24.
Strike: "11,790,954 12,907,684"
Insert: "11,557,740 12,667,769"

11. Page 62, line 25.
Strike: "9,979,129 10,933,081"
Insert: "9,786,515 10,734,933"

12. Page 64, line 12.
Strike: "3,723,689 4,040,815"
Insert: "3,659,163 3,974,421"

13. Page 65, line 14.
Strike: "1,626,075 1,770,448"
Insert: "1,596,449 1,740,001"

14. Page 66, line 13.
Strike: "1,906,211 2,065,765"
Insert: "1,875,899 2,033,752"

15. Page 67, line 12.
Strike: "1,149,514 1,245,466"
Insert: "1,134,537 1,230,054"

16. Adjust: totals to conform to above changes

That Kemmis' amendment to Committee of the Whole Amendment, dated 3/26/79 and signed by Scully, to House Bill No. 483, third reading copy, reading as follows, do pass: (50-46)

1. Amendment No. 11.
Following: "Insert:"
Strike: "9,786,515 10,734,933"
Insert: "9,977,661 10,938,455"
Adjust: totals to conform to above changes

Nordtvedt excused at this time.

That Tropila's amendment do pass. Motion failed. (39-48)

That Gerke's amendment do pass. Motion failed. (46-50)

That Quilici's amendment do pass. Motion failed. (44-50)

That Hand's amendment do pass. Motion failed. (37-56)

That Oberg's amendment do pass. Motion failed. (40-54)

That Gould's amendment do pass. Motion failed. (46-48)

That Gerke's amendment do pass. Motion failed. (43-55)

That Lien's amendment do pass. Motion failed. (44-50)

That Gesek's amendment do pass. Motion failed. (41-52)

Nordtvedt present at this time.

That Teague's amendment to Committee of the Whole Amendment, dated 3/26/79 and signed by Scully, to House Bill No. 483, third reading copy, reading as follows, do pass: (50-49)

1. Amendment No. 12.
Following: "Insert:"
Strike: "3,659,163 3,974,421"
Insert: "3,709,163 4,024,421"
Adjust: totals to conform to above changes

That Tropila's amendment do pass. Motion failed. (43-47)

That HB 483, as amended, do pass. (68-26)

That the Committee rise and report and beg leave to sit again. (Hirsch, Chairman). Report adopted. (67-12)

REPORTS OF STANDING COMMITTEES

Dussault moved that all printing reports and all Standing Committee Reports with do pass recommendations be deemed read this day. Motion carried.

BILLS (Metcalf, Chairman): 3/26/79

Correctly enrolled - HB 208, HB 219, HB 316, HB 381, HB 661, HB 698, HB 707, HB 820, HJR 14.

Examined by the Sponsor and found to be correct - HB 208, HB 219, HB 316, HB 381, HB 661, HB 698, HB 707, HB 820, HJR 14.

Will be signed by the Speaker on adjournment, 3/26/79 - HB 208, HB 219, HB 316, HB 381, HB 661, HB 698, HB 707, HB 820, SB 335, SB 410, SB 450, HJR 14.

Delivered to the Governor for his approval at 3:30 p.m., 3/26/79 - HB 591, HB 600, HB 815.

Do Pass

APPROPRIATIONS (Bardanouve, Chairman): 3/23/79

HB 9, do pass. Report adopted.

HB 282, introduced bill, be amended as follows: 3/26/79

1. Title, line 6.
Strike: "$500,000"
Insert: "$375,000"

2. Page 2, line 13.
Following: "of"
Strike: "$500,000"
Insert: "$375,000"

3. Page 3.
Following: line 19
Insert: "**NEW SECTION.** Section 3. Transfer of funds. The department of social and rehabilitation services may transfer money between programs to affect the purposes of the act.

NEW SECTION. Section 4. Report. The department shall report to the next Legislature on the costs and benefits of this program."

And as amended, do pass. Report adopted.

HB 284, introduced bill, be amended as follows: 3/24/79

1. Title, line 5.
Following: "PROVIDING"
Insert: "INCREASED"

2. Title, line 6.
Strike: "FAMILIES"

3. Page 1, line 9.
Following: "Appropriation."
Strike: "(1)"

4. Page 1, line 10.
Following: "of"
Strike: "$3,961,200 for the biennium"
Insert: "$153,000 for the fiscal year ending June 30, 1980, and $362,000 for the fiscal year"

5. Page 1, line 11.
Following: "1981,"
Insert: "and from other funds $129,802 for the fiscal year ending June 30, 1980, and $281,440 for the fiscal year ending June 30, 1981,"

6. Page 1, line 13.
Following: "providing"
Insert: "increased"
Following: "to"
Insert: "foster care group homes and institutions and to"

7. Page 1, lines 15 and 16.
Strike: subsection (2) in its entirety

8. Page 1, line 17.
Following: "foster"
Insert: "family"

9. Page 1, line 19.
Following: "(a)"
Strike: "$225"
Insert: "at least $150"
Following: "month"
Insert: "in the fiscal year ending June 30, 1980, and $200 a month in the fiscal year ending June 30, 1981,"

10. Page 1, line 22.
Following: "(b)"
Strike: "$275"
Insert: "at least $200"
Following: "month"
Insert: "in the fiscal year ending June 30, 1980, and $250 a month in the fiscal year ending June 30, 1981,"

11. Page 2, line 3.
Following: "basis"
Insert: ","
Following: "and"
Insert: "the department"
Following: "shall"
Strike: "receive"
Insert: "send"

And as amended, do pass. Report adopted.

HB 410, introduced bill, be amended as follows: 3/23/79

1. Page 1, line 12.
Strike: "$138,500"
Insert: "$63,500"

2. Page 1, line 12.
Following: "fund"
Insert: "and $75,000 from the renewable resource development bond account funded under 15-35-108(2)(g)"

And as amended, do pass. Report adopted.

HB 418, introduced bill, be amended as follows: 3/26/79

1. Page 1, line 12.
Following: "than ~~$4~~"

Strike: "$5"
Insert: "$4.50"
Following: "and"
Strike: "$6"
Insert: "$5"

And as amended, do pass. Report adopted.

HB 502, do pass. Report adopted. 3/24/79
HB 537, second reading copy, be amended as follows:

1. Page 4, line 2.
Following: "~~1.0~~"
Strike: "0.5"
Insert: ".25"

2. Page 4, line 3.
Following: "~~0.8~~"
Strike: "0.4"
Insert: "0.2"

3. Page 4, line 4.
Following: "~~0.6~~"
Strike: "0.3"
Insert: ".15"

4. Page 4, line 5.
Following: "~~0.4~~"
Strike: "0.2"
Insert: "0.1"

5. Page 4, line 6.
Following: "~~0.2~~"
Strike: "0.1"
Insert: ".05"

6. Page 4, lines 19 through 22.
Strike: subsection (3) in its entirety
Renumber: subsequent section

And as amended, do pass. Report adopted.

HB 584, do pass. Report adopted. 3/26/79
HB 890, introduced bill, be amended as follows: 3/24/79

1. Page 1, line 11.
Following: "$50,000"
Insert: "from the general fund"

And as amended, do pass. Report adopted.

HB 895, introduced bill, be amended as follows: 3/26/79

1. Page 3.
Following: line 12
Insert: "Board of Nursing
8,503 Earmarked Revenue"

2. Page 3, line 18.
Strike: "8,234"
Insert: "19,746"

And as amended, do pass. Report adopted.

HB 896, do pass. Report adopted. 3/24/79

HB 897, do pass. Report adopted.
HB 901, do pass. Report adopted.
HB 918, introduced bill, be amended as follows: 3/26/79

1. Page 1, line 12.
Following: "Representatives to"
Insert: "lease or"

And as amended, do pass. Report adopted.

HB 921, do pass. Report adopted.

Adverse Committee Reports

APPROPRIATIONS (Bardanouve, Chairman): 3/26/79
HB 117, do not pass.
HB 243, do not pass. 3/24/79
HB 647, do not pass. 3/26/79
HB 681, do not pass.
HB 745, do not pass. 3/24/79
HB 757, do not pass.
HB 781, do not pass. 3/26/79
HB 841, do not pass. 3/23/79
HB 919, do not pass. 3/26/79

Brand, Manning, Magone, Cooney, Kanduch, Daily, Keyser, Hand, McBride, Manuel objected that HB 243 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

Keedy, Kemmis, Rosenthal, Harper, Vincent, Uhde, Reichert, Gesek, Oberg, Anderson objected that HB 451 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

Harrington, Holmes, Daily, Quilici, Metcalf, McBride, Pavlovich, Johnson, Cooney, Gilligan objected that HB 647 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

Curtiss, Ellison, Underdal, Stobie, Hayne, Vinger, Jensen, Hand, Burnett, Wyrick objected that HB 745 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

Reichert, Williams, H. Robbins, Uhde, Tropila, Gilligan, Menahan, Lien, Bengtson, Gesek objected that HB 919 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

On motion by Huennekens, the Adverse Committee Report on HB 871 was adopted by the following vote: (82-7)

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Huennekens, Iverson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague,

Thoft, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 82

Noes: Burnett, Cooney, Holmes, Johnson, K. Robbins, Uhde, Underdal.
Total 7

Excused: Hurwitz, Kanduch.
Total 2

Absent or not voting: Bardanouve, Ellison, Fagg, Gesek, Hemstad, Jensen, Oberg, Scully, Tropila.
Total 9

On motion by Huennekens, the Adverse Committee Report on HB 477 was adopted by the following vote: (47-26)

Ayes: Anderson, Baeth, Bengtson, Brand, Donaldson, Dozier, Dussault, Ellis, Ellison, Eudaily, Frates, Gesek, Harper, Hayne, Hirsch, Huennekens, Johnson, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Magone, Manning, Metcalf, Nordtvedt, Porter, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Schultz, Shelden, Sivertsen, Smith, Spilker, Stobie, Thoft, Uhde, Underdal, Williams, Wyrick, Yardley, Mr. Speaker.
Total 47

Noes: Bertelsen, Burnett, Cooney, Curtiss, Daily, Day, Feda, Gilligan, Gould, Harrington, Hemstad, Holmes, Johnston, Keyser, Lund, Menahan, Meyer, Oberg, O'Connell, Pavlovich, Quilici, Sales, Staigmiller, Vincent, Vinger, Wood.
Total 26

Excused: Hurwitz, Kanduch.
Total 2

Absent or not voting: Azzara, Bardanouve, Bennett, Conroy, Dassinger, Ellerd, Ernst, Fabrega, Fagg, Hand, Iverson, Jensen, Manuel, Marks, Moore, Nathe, Pistoria, H. Robbins, Scully, Seifert, South, Teague, Tropila, Waldron.
Total 24

Abstaining: McBride.
Total 1

On motion by Huennekens, the Adverse Committee Report on HB 497 was adopted by the following vote: (56-32)

Ayes: Baeth, Bertelsen, Brand, Burnett, Cooney, Daily, Dassinger, Dozier, Dussault, Ellis, Eudaily, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Huennekens, Johnson, Johnston, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Menahan, Metcalf, Meyer, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, K. Robbins, Rosenthal, Sales, Seifert, Shelden, Sivertsen, South, Stobie, Teague, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 56

Noes: Anderson, Azzara, Bengtson, Conroy, Curtiss, Day, Donaldson, Ellison, Ernst, Feda, Gesek, Hirsch, Holmes, Iverson, Keyser, Lund, Manuel, Marks, Nathe, Oberg, Reichert, H. Robbins, Roth, Schultz, Smith, Spilker, Staigmiller, Thoft, Tropila, Uhde, Vinger, Waldron.
Total 32

Excused: Hurwitz, Kanduch.

Total 2

Absent or not voting: Bardanouve, Bennett, Ellerd, Fabrega, Fagg, Frates, Hand, Jensen, Moore, Scully.
Total 10

On motion by Huennekens, the Adverse Committee Report on HB 592 was adopted by the following vote: (56-35)

Ayes: Baeth, Bertelsen, Brand, Burnett, Conroy, Cooney, Daily, Dassinger, Donaldson, Dozier, Ellison, Ernst, Eudaily, Hand, Harper, Harrington, Hayne, Hirsch, Huennekens, Johnson, Johnston, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, Magone, Manning, Manuel, Marks, Moore, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, K. Robbins, Rosenthal, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Thoft, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 56

Noes: Anderson, Azzara, Bengtson, Curtiss, Day, Dussault, Ellerd, Ellis, Fabrega, Feda, Gesek, Gilligan, Gould, Hemstad, Holmes, Iverson, Keedy, Kemmis, Lien, McBride, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Reichert, H. Robbins, Roth, Sales, Spilker, Teague, Tropila, Uhde, Underdal, Vinger.
Total 35

Excused: Hurwitz, Kanduch.
Total 2

Absent or not voting: Bardanouve, Bennett, Fagg, Frates, Jensen, Pistoria, Scully.
Total 7

MOTIONS

Cooney moved that he be recorded as voting aye on Quilici's amendment to HB 483 on Second Reading this day. Motion carried unanimously.

Magone moved that his vote be recorded as aye on Kemmis' amendment to HB 483 on Second Reading this day. Motion carried unanimously.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 921, introduced by Bardanouve. Referred to Committee on Appropriations.
HB 922, introduced by Bennett. Referred to Committee on Appropriations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Hirsch in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Dussault replaced Hirsch in the Chair.

That HB 679, second reading copy, be amended as follows: (75-3)

1. Title, lines 6 through 8.
Following: "CITIZENS"
Strike: "AND MAINTAIN CERTAIN MEDICAID BENEFITS TO SENIOR CITIZENS AND OTHER ELIGIBLE PERSONS"

2. Page 1, line 21 through line 1, page 2.
Strike: subsection (3) in its entirety

And as amended, do pass. (61-26)

That HB 690 do pass. Motion failed. (32-54)

That HB 690 do not pass. (60-24)

Hirsch back in the Chair.

That HB 692 do pass. (66-25)

That HB 754, second reading copy, be amended as follows: (79-5)

1. Title, line 4.
Following: "APPROPRIATE"
Strike: "$40,000"
Insert: "$35,000"

And as amended, do pass. (67-20)

That HB 760 do pass. (77-12)

That HB 773 do pass. (63-23)

That HB 807 do pass. (63-23)

That HB 838 do pass. Motion failed. (44-51)

That HB 838 do not pass. (55-38)

That HB 849 do pass. (46-43)

That HB 868, second reading copy, be amended as follows: (81-3)

1. Page 3, line 19.
Following: "~~$15~~"
Strike: "$30"
Insert: "$25"

2. Page 4, line 10.
Following: "1980"
Strike: "$112,000"
Insert: "$72,000"

3. Page 4, line 11.
Following: "1981"
Strike: "$112,000"
Insert: "$72,000"

And as amended, do pass. (75-22)

That HB 894 do pass. (78-15)

That HB 903, second reading copy, be amended as follows: (67-20)

1. Page 1.

Following: line 21
Insert: "RESOURCE INDEMNITY TRUST EARMARKED REVENUE ACCOUNT 69,000"

And as amended, do pass. (71-15)

That HB 905 do pass. (64-28)

That HB 913 do pass. (87-4)

That HB 914 do not pass. Motion failed. (46-47)

That HB 914 do pass. (48-46)

That HJR 39 do pass. (73-11)

That HB 122 do pass. (87-0)

South replaced Hirsch in the Chair.

That HB 269 do pass. (85-0)

That HB 299, second reading copy, be amended as follows: (85-0)

1. Page 1, line 18.
Following: "FOR"
Insert: "10"

And as amended, do pass. (91-0)

That HB 427 do pass. (59-30)

That HB 496 do pass. (60-26)

That HB 534 do pass. (71-7)

Lien moved that HB 814 and HB 830 pass consideration for the day. Motion carried.

That HB 867 do pass. Motion failed. (35-55)

That HB 867 do not pass. (58-33)

Ramirez moved that HJR 59 pass consideration until the Seventy-first Legislative Day. Motion carried.

Thoft moved that SB 44 pass consideration for the day for the purpose of amendment. Motion carried.

Dussault moved that SB 200 pass consideration for the day. Motion carried.

Lory moved that SB 202 pass consideration for the day. Motion carried.

Teague moved that SB 221 pass consideration for the day. Motion carried.

That SB 393 be concurred in. (68-8)

Harrington moved that HB 137 be placed below HB 385 on the Second Reading board this day. Motion carried.

That HB 385 do pass. (55-32)

That HB 137 do pass. Motion failed. (23-64)

That HB 137 do not pass. (69-18)

That HB 398 do pass. (77-4)

Hirsch back in the Chair.

That HB 429 do pass. (72-5)

That HB 479 do pass. (45-39)

That HB 509 do pass. (80-0)

That the Committee rise and report. (Hirsch, Chairman). Hirsch moved that the committee report be deemed read. Motion carried. Bardanouve moved that HB 679 be segregated from the Committee of the Whole Report. Metcalf then moved a Call of the House, and sufficient seconds arose. House at ease at 9:18 p.m. House reconvened at 9:24 p.m. Ramirez moved that the Call of the House be removed. Motion carried. (70-8) Call of the House removed. Fabrega requested that Bardanouve's motion be divided. Thereupon, Bardanouve's motion to segregate HB 679 carried. (54-40) Fabrega moved that HB 914 be segregated from the Committee of the Whole Report. Motion failed. (43-48) And as amended, report adopted. (71-17)

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 3/26/79
Correctly printed - HB 848, HB 907, HB 908.
Considered correctly engrossed - HB 273, HB 356, HB 357, HB 472.

Do Pass

TAXATION (Huennekens, Chairman): 3/26/79
HB 287, introduced bill, be amended as follows:

1. Title, line 5.
Following: "BY"
Strike: "REPEALING THE SURTAX,"

2. Title, line 6.
Following: "EXEMPTIONS"
Strike: ","
Insert: "AND"

3. Title, line 7.
Following: "RETURNS"
Strike: ", AND REVISING TAX BRACKETS AND RATES"

4. Title, line 8.
Following: "SECTIONS"
Strike: "15-30-103, 15-30-105,"

5. Title, line 8.
Following: "15-30-112"
Strike: ","
Insert: "AND"

6. Title, line 9.
Following: "15-30-142"
Strike: ", AND 15-30-162; REPEALING 15-30-104"

7. Page 1, line 13 through line 21 on page 3.
Following: line 12
Strike: line 13 on page 1 through line 21 on page 3 in their entirety
Renumber: subsequent sections

8. Page 5, line 25.
Following: "than"

Strike: "$650"
Insert: "$800"

9. Page 7, line 14.
Following: "~~$720~~"
Strike: "$880"
Insert: "$940"

10. Page 7, line 16.
Following: "~~$1,445~~"
Strike: "$1,760"
Insert: "$1,880"

11. Page 9, line 20 through line 4 on page 10.
Following: line 19
Strike: line 20 on page 9 through line 4 on page 10 in their entirety
Renumber: subsequent section

And as amended, do pass. Report adopted.

HB 303, introduced bill, be amended as follows:

1. Title, line 9.
Following: "PROVIDING"
Strike: "AN EFFECTIVE"
Insert: "A DELAYED APPLICABILITY"

2. Page 1, line 19.
Following: "1,"
Strike: "1978"
Insert: "1980"

3. Page 1, line 21.
Following: "1,"
Strike: "1978"
Insert: "1980"

4. Page 1, line 23.
Following: "1,"
Strike: "1978"
Insert: "1980"

5. Page 2, line 18.
Following: "a"
Strike: "percentage"
Insert: "number"

6. Page 2, line 21.
Following: "June,"
Strike: "1979"
Insert: "1980"

7. Page 9, line 11.
Following: "nearest"
Strike: "$1"
Insert: "$10"

8. Page 13, line 12.
Following: "7."
Strike: "Effective date"
Insert: "Applicability"

9. Page 13, lines 12 and 13.

Following: "act"
Strike: "is effective on passage and approval and"

10. Page 13, line 14.
Following: "31,"
Strike: "1978"
Insert: "1980"

And as amended, do pass. Report adopted.

HB 633, introduced bill, be amended as follows:

1. Title, lines 5 and 6.
Following: "GASOLINE"
Strike: "AND OTHER VEHICLE FUELS"

2. Title, lines 7 and 8.
Following: "BY"
Strike: "AN AFFIRMATIVE VOTE OF THE ELECTORS OF THE COUNTY"
Insert: "RESOLUTION OF THE COUNTY GOVERNING BODY"

3. Page 1, line 13.
Following: "by"
Strike: "ordinance"
Insert: "resolution"

4. Page 1, lines 13 through 16.
Following: "of"
Strike: "fuels taxable under Title 15, chapters 70 and 71 if approved by a majority of the qualified electors voting on the question as provided in [section 2]"
Insert: "gasoline"

5. Page 1, line 17.
Following: "of"
Strike: "fuel"
Insert: "gasoline"

6. Page 1, line 18.
Following: "A"
Strike: "fuel"
Insert: "gasoline"

7. Page 1, line 20.
Following: "a"
Strike: "fuel"
Insert: "gasoline"

8. Page 2, line 3.
Following: "on"
Strike: "fuels"
Insert: "gasoline"

9. Page 2, lines 6 through 13.
Following: "Section 2."
Strike: the remainder of lines 6 through 13 in their entirety
Insert: "Hearing on county gasoline tax required-notice. (1) The county governing body must hold a public hearing before imposing a county gasoline tax.

(2) Notice of the public hearing must be published once a week for 2 consecutive weeks in a newspaper with general circulation in the county.

(3) The notice must describe the time, date, place, and purpose of the hearing."

And as amended, do pass. Report adopted.

HB 643, introduced bill, be amended as follows:

1. Title, line 8.
Following: ";"
Insert: "PROVIDING THAT THIS ACT APPLIES TO TAXABLE YEARS AFTER DECEMBER 31, 1979;"

2. Title, line 9.
Following: "15-6-108,"
Insert: "15-6-111,"
Following: "15-6-115,"
Insert: "15-8-111,"

3. Page 1, lines 17 through 21.
Following: line 16
Strike: lines 17 through 21 in their entirety
Renumber: subsequent subsections

4. Page 4, line 22.
Following: "or"
Strike: "if"
Insert: "on the basis of the original installed cost of the centrally assessed property located in the respective counties. If"

5. Page 4, line 24.
Following: "mileage"
Insert: "or on the basis of the original installed cost of the centrally assessed property located in the respective counties"

6. Page 6.
Following: line 12
Insert: "SECTION 8. SECTION 15-6-111, MCA IS AMENDED TO READ AS FOLLOWS:

'15-6-111. Class ten property - description - taxable percentage. (1) Class ten property includes:

(a) aerial, surface, and portable ski lifts and ski tows, including towers, cables, ropes, sheave assemblies, conveying devices, power units, and all accessories;

(b) manufacturing and mining machinery, fixtures, and supplies, except those included in class eighteen; ~~and~~

(c) centrally assessed power and gas utility allocations, except pipelines; and

~~(c)~~ (d) camper trailers and truck campers valued in the "N.A.D.A. Recreational Vehicle Appraisal Guide".

(2) Class ten property is taxed at 12% of market value.'

SECTION 9. THERE IS A NEW MCA SECTION THAT READS:

Class twenty-one property - description - taxable percentage. (1) Class twenty-one property includes centrally assessed utility allocations except:

(a) class ten for power and gas property other than pipelines;

(b) class fourteen for rural telephones; and

(c) class eighteen for cooperatives.

(2) Class twenty-one property is taxed at 15% of its market value.

SECTION 10. SECTION 15-8-111, MCA, IS AMENDED TO READ:

'15-8-111. Assessment - market value standard - exceptions. (1) All taxable property must be assessed at 100% of its market value except as provided in subsection (5) of this section and in 15-7-111 through 15-7-114.

(2) Market value is the value at which property would change hands between a willing buyer and a willing seller, neither being under any compulsion to buy or to sell and both having reasonable knowledge of relevant facts.

(3) The department of revenue or its agents may not adopt a lower or different standard of value from market value in making the official assessment and appraisal of the value of property in class one and classes seven through eighteen. For purposes of taxation, assessed value is the same as appraised value.

(4) The taxable value for all property in class one ~~and~~, classes seven through eighteen, class twenty, and class twenty-one is the percentage of market value established for each class of property in 15-6-102 ~~and~~, 15-6-108 through 15-6-119, 15-6-121, and [section 9].

(5) The assessed value of properties in 15-6-103 through 15-6-107 and 15-6-120 is as follows:

(a) Property in 15-6-106, under class five, is assessed at 100% of book value by the method established in 15-6-106 and the sections cited therein.

(b) Properties in 15-6-103, under class two, are assessed at 100% of the annual net proceeds after deducting the expenses specified and allowed by 15-23-503.

(c) Properties in 15-6-104, 15-6-105, 15-6-120, under classes three, four, and nineteen are assessed at 100% of the annual gross proceeds.

(d) Properties in 15-6-107, under class six, are assessed at 100% of the productive capacity of the lands when valued for agricultural purposes. All lands that meet the qualifications of 15-7-202 are valued as agricultural lands for tax purposes.

(6) Land and the improvements thereon are separately assessed when any of the following conditions occur:

(a) ownership of the improvements is different from ownership of the land;

(b) the taxpayer makes a written request; or

(c) the land is outside an incorporated city or town.

(7) The taxable value of all property in classes two through six is the percentage of assessed value established in 15-6-103 through 15-6-107 for each class of property.'"

Renumber: subsequent section

7. Page 6.
Following: line 14
Insert: "Section 12. Applicability. This act applies to taxable years after December 31, 1979."

And as amended, do pass. Report adopted.

HB 844, introduced bill, be amended as follows:

1. Title, line 8.
Following: "53-24-207,"
Insert: "53-24-208,"

2. Page 1, lines 15 through 19.
Following: "who"
Strike: the remainder of lines 15 through 19 in their entirety
Insert: "has a chronic illness or disorder of behavior characterized by repeated drinking of alcoholic beverages to the extent that it endangers the health, interpersonal relationships, or economic function of the individual or public health, welfare, or safety."

3. Page 1, line 20.
Following: "Approved"
Strike: "private"

4. Page 1, line 21.
Following: "nonprofit"
Insert: "or local government"

5. Page 8, line 5.
Following: "~~institutions;~~"
Insert: "(c) cooperate with the board of pardons in establishing and conducting programs to provide treatment for alcoholics and intoxicated persons in or on parole from penal institutions;"
Reletter: subsequent subsections

6. Page 15, line 24.
Following: "~~state.~~"
Strike: "Thirty"
Insert: "Except as provided in subsection (4), thirty"

7. Page 16, line 15.
Following: "alcoholism."
Insert: "The county may retain up to 5% of this money."

8. Page 17, lines 15 through 18.
Following: "institutions."
Strike: "Ten percent of the proceeds allocated to the department of institutions shall be used for the administration of the alcohol and drug abuse division of the department. The remaining proceeds"
Insert: "The license tax proceeds allocated to the department may not be used for the costs of administration. Administrative costs of the alcohol and drug abuse division of the department must be paid from appropriations made by the legislature for that purpose. The money"

9. Page 18.
Following: line 7
Insert: "(4) For the 1979-1981 biennium, $100,000 of the license tax is allocated each year to the department to be distributed as provided for in [section 11]. The allocation to the department under this section must be made before the license tax revenues are distributed to the counties and the state as provided in subsection (1)."

10. Page 19, line 2.
Following: "developed"
Strike: "jointly"

11. Page 19, lines 2 through 6.
Following: "counties"
Strike: the remainder of line 2 through line 6 in their entirety
Insert: "."

12. Page 19.
Following: line 6
Insert: "SECTION 10. SECTION 53-24-208, MCA, IS AMENDED TO READ:

'53-24-208. Facility standards. (1) The department shall establish standards for approved treatment facilities that must be met for a treatment facility to be approved as a public or private treatment facility and fix the fees to be charged for the required inspections. The standards may concern only the health standards to be met and standards of treatment to be afforded patients.

(2) Facilities applying for approval must demonstrate a local need currently exists for proposed services and that the proposed services do not duplicate existing local services.

~~(2)~~ (3) The department shall periodically inspect approved public and private treatment facilities at reasonable times and in a reasonable manner.

~~(3)~~ (4) The department shall maintain a list of approved public and private treatment facilities.

~~(4)~~ (5) Each approved public and private treatment facility shall, on request, file with the department data, statistics, schedules, and information the department reasonably requires. An approved public or private treatment facility that without good cause fails to furnish any data, statistics, schedules, or information as requested or files fraudulent returns thereof shall be removed from the list of approved treatment facilities.

~~(5)~~ (6) The department, after holding a hearing in accordance with the Montana Administrative Procedure Act, may suspend, revoke, limit, or restrict an approval or refuse to grant an approval for failure to meet its standards.

~~(6)~~ (7) A district court may restrain any violation of this section, review any denial, restriction, or revocation of approval, and grant other relief required to enforce the provisions.

~~(7)~~ (8) Upon petition of the department and after a hearing held upon reasonable notice to the facility, a district court may issue a warrant to the department authorizing it to enter and inspect at reasonable times and examine the books and accounts of any approved public or private treatment facility refusing to consent to inspection or examination by the department or which the department has reasonable cause to believe is operating in violation of this chapter.'

SECTION 11. THERE IS A NEW MCA SECTION THAT READS:

Temporary aid to certain county programs. (1) The department shall distribute the money allocated to it under 16-1-404(4) to county programs that show an income decrease from 1978-1979 levels as a result of the percentage formula in [section 8].

(2) A county seeking assistance under this section must submit a request, approved by the board of county commissioners, to the department of institutions.

(3) The department shall establish criteria for apportioning the money among the counties; however, no more than $10,000 may be distributed to any one county. Payments of aid must be made quarterly to the county.

(4) A program located in a county with a population of 20,000 or more may not receive aid under this section.

SECTION 12. THERE IS A NEW MCA SECTION THAT READS:

County plan to be submitted to department. (1) By January 1, 1980, each county must submit to the department a comprehensive countywide plan for the treatment, rehabilitation, and prevention of alcoholism.

(2) The plan must have been approved by the board of county commissioners and must contain information regarding existing nonprofit and local government programs within the county. The plan must also contain information regarding the current and future needs of the county for the treatment, rehabilitation, and prevention of alcoholism.

(3) The department shall approve or disapprove the countywide plan. If the department disapproves a plan, the county may submit another plan to the department.

(4) (a) After December 31, 1979, no money may be distributed to a county by the department for the treatment, rehabilitation, and prevention of alcoholism if the county has not submitted a plan as required by subsection (1).

(b) After June 30, 1980, no money may be distributed to a county by the department for the treatment, rehabilitation, and prevention of alcoholism if a county plan has not been approved by the department.

(5) The department may adopt rules regarding the submission, approval, and disapproval of plans."

And as amended, do pass. Report adopted.

STATEMENT OF INTENT RE: House Bill No. 844

A Statement of Intent is required for this bill because it delegates authority to the Department of Institutions.

Section 12 requires each county to submit a countywide plan to the department for the treatment, rehabilitation, and prevention of alcoholism and gives the department the authority to approve or disapprove of each plan.

It is intended that the rules adopted by the department with regard to the plans will:

(1) provide the procedure for the submission of the plan including the general format and the type of information needed by the department to evaluate the plan; and

(2) outline the criteria that the department will use in approving or disapproving a plan.

/s/Huennekens

Adverse Committee Reports

Teague, Gilligan, Rosenthal, Frates, Harper, Dassinger, Dozier, Tropila, Kemmis, Uhde objected that HB 892 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

On motion by Bardanouve, the Adverse Committee Report on HB 123 was adopted by the following vote: (63-27)

Ayes: Baeth, Bardanouve, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Day, Donaldson, Dozier, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, Magone, Manning, Manuel, Marks, Meyer, Nathe, Nordtvedt, Pavlovich, Porter, Quilici, Ramirez, K. Robbins, Rosenthal, Sales, Schultz, Seifert, Sivertsen, South, Spilker, Staigmiller, Stobie, Thoft, Underdal, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 63

Noes: Anderson, Azzara, Cooney, Dassinger, Dussault, Ellis, Gesek, Gilligan, Gould, Johnson, Johnston, Keedy, Kemmis, Lien, McBride, Menahan, Metcalf, Oberg, Reichert, H. Robbins, Scully, Shelden, Teague, Tropila, Uhde, Vincent, Yardley.
Total 27

Excused: Hurwitz, Kanduch.
Total 2

Absent or not voting: Bengtson, Brand, Daily, Moore, O'Connell, Pistoria, Roth, Smith.
Total 8

On motion by Huennekens, the Adverse Committee Report on HB 637 was adopted by the following vote: (47-45)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Daily, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Fabrega, Fagg, Gilligan, Hand, Harper, Harrington, Hirsch, Huennekens, Iverson, Jensen, Kemmis, Kessler, Lory, Magone, Manning, Meyer, Porter, Quilici, Ramirez, Reichert, Rosenthal, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Vincent, Waldron, Williams, Wood, Yardley.
Total 47

Noes: Bengtson, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Ellis, Eudaily, Feda, Frates, Gesek, Gould, Hayne, Hemstad, Holmes, Johnson, Johnston, Keedy, Keyser, Kropp, Kvaalen, Lien, Lund, McBride, Manuel, Marks, Menahan, Metcalf, Nathe, Nordtvedt, Oberg, Pavlovich, Pistoria, H. Robbins, K. Robbins, Sales, Seifert, Teague, Thoft, Tropila, Uhde, Vinger, Wyrick, Mr. Speaker.
Total 45

Excused: Hurwitz, Kanduch.
Total 2

Absent or not voting: Brand, Moore, O'Connell, Roth, Smith, Underdal.
Total 6

On motion by Bardanouve, the Adverse Committee Report on HB 653 was adopted by the following vote: (51-41)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Burnett, Conroy, Curtiss, Daily, Dassinger, Donaldson, Dussault, Ellerd, Ellis, Ellison, Ernst, Fagg, Feda, Hand, Harrington, Hirsch, Huennekens, Iverson, Jensen, Johnson, Kemmis, Kessler, Kvaalen, Lien, Lory, Magone, Marks, Nathe, Nordtvedt, Porter, Ramirez, K. Robbins, Sales, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Thoft, Vincent, Vinger, Waldron, Williams, Wood.
Total 51

Noes: Bengtson, Bertelsen, Cooney, Day, Dozier, Eudaily, Fabrega, Frates, Gesek, Gilligan, Gould, Harper, Hemstad, Holmes, Johnston, Keedy, Keyser, Kropp, Lund, McBride, Manning, Manuel, Menahan, Metcalf, Meyer, Oberg, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, Rosenthal, Schultz, Scully, Teague, Tropila, Uhde, Underdal, Wyrick, Yardley, Mr. Speaker.
Total 41

Excused: Hurwitz, Kanduch.
Total 2

Absent or not voting: Brand, Hayne, Moore, O'Connell, Roth, Smith.
Total 6

On motion by Bardanouve, the Adverse Committee Report on HB 665 was adopted by the following vote: (57-35)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Burnett, Conroy, Daily, Day, Donaldson, Ellerd, Ellison, Ernst, Fabrega, Fagg, Feda, Gilligan, Hand, Harper, Harrington, Hayne, Hirsch, Huennekens, Iverson, Jensen, Kessler, Keyser, Kropp, Kvaalen, Lien, Lund, Manuel, Marks, Meyer, Nathe, Nordtvedt, Porter, Quilici, Ramirez, K. Robbins, Sales, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Vinger, Williams, Wood, Wyrick, Yardley.
Total 57

Noes: Cooney, Curtiss, Dassinger, Dozier, Dussault, Ellis, Eudaily, Frates, Gesek, Gould, Hemstad, Holmes, Johnson, Johnston, Keedy, Kemmis, Lory, McBride, Magone, Manning, Menahan, Metcalf, Oberg, Pavlovich, Pistoria, Reichert, H. Robbins, Rosenthal, Schultz, Teague, Uhde, Underdal, Vincent, Waldron, Mr. Speaker.
Total 35

Excused: Hurwitz, Kanduch.
Total 2

Absent or not voting: Bengtson, Brand, Moore, O'Connell, Roth, Smith.
Total 6

On motion by Bardanouve, the Adverse Committee Report on HB 752 was adopted by the following vote: (57-35)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Burnett, Cooney, Daily, Day, Dozier, Dussault, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Huennekens, Iverson, Jensen, Kemmis, Kessler, Kropp, Kvaalen, Lory, McBride, Manning, Marks, Meyer, Nathe, Oberg, Porter, Ramirez, Reichert, Rosenthal, Schultz, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Thoft, Underdal, Waldron, Williams, Wood, Wyrick.
Total 57

Noes: Conroy, Curtiss, Dassinger, Donaldson, Ellerd, Eudaily, Gilligan, Hirsch, Holmes, Johnson, Johnston, Keedy, Keyser, Lien, Lund, Magone, Manuel, Menahan, Metcalf, Nordtvedt, Pavlovich, Pistoria, Quilici, H. Robbins, K. Robbins, Sales, Scully, Seifert, Teague, Tropila, Uhde, Vincent, Vinger, Yardley, Mr. Speaker.
Total 35

Excused: Hurwitz, Kanduch.
Total 2

Absent or not voting: Bengtson, Brand, Moore, O'Connell, Roth, Smith.
Total 6

On motion by Huennekens, the Adverse Committee Report on HB 758 was adopted by the following vote: (76-15)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Conroy, Curtiss, Daily, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Hayne, Hemstad, Hirsch, Huennekens, Iverson, Jensen, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Meyer, Nathe, Nordtvedt, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, Rosenthal, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 76

Noes: Cooney, Dassinger, Frates, Harper, Harrington, Holmes, Johnson, McBride, Menahan, Metcalf, Oberg, H. Robbins, K. Robbins, Teague, Uhde.
Total 15

Excused: Hurwitz, Kanduch.
Total 2

Absent or not voting: Bengtson, Brand, Burnett, Moore, O'Connell, Roth, Smith.
Total 7

On motion by Bardanouve, the Adverse Committee Report on HB 828 was adopted by the following vote: (87-5)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley.
Total 87

Noes: Gilligan, Keedy, H. Robbins, Uhde, Mr. Speaker.
Total 5

Excused: Hurwitz, Kanduch.
Total 2

Absent or not voting: Bengtson, Brand, Moore, O'Connell, Roth, Smith.

Total 6

On motion by Bardanouve, the Adverse Committee Report on HB 911 was adopted by the following vote: (76-17)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, Pistoria, Porter, Ramirez, Reichert, Rosenthal, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 76

Noes: Bengtson, Daily, Day, Ellison, Gesek, Hand, Johnston, Keedy, Keyser, Menahan, Pavlovich, Quilici, H. Robbins, K. Robbins, Teague, Uhde, Vinger.
Total 17

Excused: Hurwitz, Kanduch.
Total 2

Absent or not voting: Brand, Moore, O'Connell, Roth, Smith.
Total 5

On motion by Bardanouve, the Adverse Committee Report on HB 917 was adopted by the following vote: (87-5)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Meyer, Nathe, Nordtvedt, Oberg, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 87

Noes: Frates, Keedy, Menahan, Metcalf, Uhde.
Total 5

Excused: Hurwitz, Kanduch.
Total 2

Absent or not voting: Bengtson, Brand, Moore, O'Connell, Roth, Smith.
Total 6

No Recommendations

TAXATION (Huennekens, Chairman): 3/26/79
HB 64, introduced bill, be amended as follows:

1. Title, line 6.
Following: "GASOLINE"
Insert: ", DIESEL FUEL, AND VOLATILE FUEL"

2. Title, line 7.

Following: "UPON"
Strike: "USAGE, AMENDING SECTION 15-70-204, MCA"
Insert: "DECREASE OR INCREASE IN GROSS TAX RECEIPTS; PROVIDING THAT THE GOVERNOR MUST ORDER THE TAX INCREASE BE PUT INTO EFFECT; PROVIDING THAT THIS ACT IS EFFECTIVE UNTIL JUNE 30, 1981"

3. Pages 1 and 2.
Strike: all of the bill following the enacting clause
Insert: "Section 1. Variable tax on gasoline, diesel fuel, and volatile liquids. (1) In addition to the taxes imposed under 15-70-204 and 15-70-321, there is levied on all nonaviation gasoline, diesel fuel, and volatile liquids an additional tax of not more than 2 cents a gallon.

(2) The tax shall be calculated and imposed as follows:

(a) In September and March of each year the department of revenue shall determine the total receipts collected from the taxes imposed by 15-70-204 and 15-70-321 for the 6 month periods beginning January 1 and July 1.

(b) The department shall compare the total receipts with the total receipts for the comparable period of the previous year.

(c) If the total receipts show a decrease of 5% or more of the amount collected for the same period of the previous year, the department shall notify the governor in writing of the decrease. After receiving written certification of the decrease from the department of highways, the governor may order an increase in the amount of tax imposed under 15-70-204 and 15-70-321 of ½ cent a gallon for each 5% decrease in gross receipts. If the governor orders the increase and the gross receipts subsequently increase by 5% or more, the governor shall order that the amount of tax be decreased by ½ cent a gallon for each 5% increase in gross receipts. The tax may not be decreased below the amounts imposed by 15-70-204 and 15-70-321.

Section 2. Effective period. This act is effective until June 30, 1981."

And as amended, no recommendation. Tie vote.

MESSAGES FROM THE GOVERNOR

The Honorable William Mathers 3/26/79
President of the Senate
State Capitol
Helena, Montana 59601

The Honorable Harold Gerke
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear President Mathers and Speaker Gerke:

I, Thomas L. Judge, in accordance with the authority conferred upon me as Governor by the laws and constitution of the State of Montana, do hereby return House Bill No. 334, "AN ACT TO CHANGE THE HEARING REQUIREMENTS FOR THE ISSUE OR TRANSFER OF ALCOHOLIC BEVERAGES LICENSES; AMENDING SECTIONS 16-4-202 AND 16-4-207, MCA", without my signature and recommend the attached amendments.

House Bill No. 334 would amend Section 16-4-207, MCA, to simplify the procedures for the issuance or transfer of an alcoholic beverage license. Under current law a hearing must be held by the Department of Revenue prior to the issuance or transfer of an alcoholic beverage license. This requires the appointment of a hearings officer and the presence in Helena of the applicant and other interested parties during a hearing. This procedure can be both time consuming and expensive to the State and the applicant if there is no opposition to the issuance or transfer of the license. House Bill No. 334 would allow for the issuance or transfer of a retail all beverage license upon publication of a notice of application for a retail all beverage license when there is no opposition. If protest to the issuance or transfer of the license is made then a hearing must be held.

House Bill No. 334 would also amend Section 16-4-202, MCA, which deals with the issuance of resort retail liquor licenses. The intent of the amendments to this section is to allow a resort retail liquor license to be issued following publication, if there is no protest, in the same manner as a retail all beverages license. This amendment, however, implies that publication without hearing is all that would be necessary. I believe the intent of House Bill 334 was to simply allow the same procedure to be followed for a resort retail liquor license as that followed for retail all beverages license, and that the hearing to determine the qualification of an area as a resort would still be necessary. The amendment I offer would clarify the hearing requirement of Section 16-4-202, MCA.

I urge your concurrence in these amendments.

Sincerely,

Thomas L. Judge
Governor

PROPOSED AMENDMENTS TO HOUSE BILL NO. 334

1. Page 6, line 16, following "and"
Insert: ", if the requirements of this section have been met,"

2. Page 6, line 20, following "necessity,"
Strike: "following publication as"
Insert: "in accordance with the procedure"

The Honorable William Mathers 3/26/79
President of the Senate
Montana State Senate
State Capitol Building
Helena, Montana 59601

The Honorable Harold Gerke
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear President Mathers and Speaker Gerke:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return House Bill No. 489, "AN ACT SETTING A MINIMUM AND MAXIMUM AMOUNT, FROM $5 TO $25, AN IRRIGATION DISTRICT MAY CHARGE AGAINST A SEPARATELY OWNED TRACT OF LAND FOR AN ANNUAL FEE; AMENDING SECTIONS 85-7-2103 AND 85-7-2104, MCA", without my signature and recommend the attached amendments.

House Bill No. 489 was introduced in the House to set the minimum and maximum fees which may be charged against a separately owned tract of land in an irrigation district. The annual fee charged against each separately owned tract of land would be between $5.00 and $25.00. The fees so charged are used for general administrative expenses, including the cost of maintenance and repairs and interest and principal on indebtedness of the district. The Board of Commissioners of the irrigation district sets the actual amount necessary to meet those obligations.

House Bill 489 was amended during the legislative process to provide that a separately owned tract of land unable to receive water may be charged not more than the $5.00 minimum. Although there is no objection to this particular amendment, a question is raised concerning the size of a tract of land against which the $5.00 minimum would be charged in an extremely dry year. If a substantial number of the tracts of land within an irrigation district were unable to receive water during a dry year, the district may be unable to raise the funds necessary to maintain and repair the system and to meet its financial obligations. For this reason I am offering the attached amendments which would provide that a tract of land unable to receive water which may be charged not more than the $5.00 minimum be of the size of one (1) acre or less.

I urge your concurrence in these amendments.

Sincerely,

Thomas L. Judge
Governor

PROPOSED AMENDMENTS TO HOUSE BILL NO. 489

1. Page 1, line 19 following "85-7-2104."
Strike: "A separately owned tract of land"
Insert: "However, a separately owned tract of land on one acre or less and"

2. Page 4, lines 11 and 12, following "size.", on line 11.
Strike: "A separately owned tract of land"
Insert: "However, a separately owned tract of land of one acre or less and"

3. Page 4, line 25, following "$5."
Strike: "A separately owned tract of land"
Insert: "However, a separately owned tract of land of one acre or less and"

MOTIONS

Dussault moved that the Governor's Amendments to HB 334 be placed on Second Reading on the Seventy-second Legislative Day. Motion carried.

Dussault moved that the Governor's Amendments to HB 489 be placed on Second Reading on the Seventy-second Legislative Day. Motion carried.

Dussault moved that the rules be temporarily suspended and that HB 483 be placed on Third Reading this day. Motion carried. (77-10)

Ramirez moved that appropriations bills on Second Reading for the Seventieth Legislative Day be considered first in numerical order, including all bills having been brought out on Adverse Committee Reports, and that taxation bills be considered in the same manner. Motion carried. (57-29)

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

House Bill No. 483 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Cooney, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Keedy, Kemmis, Kvaalen, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Nathe, Oberg, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley.
Total 69

Noes: Burnett, Conroy, Day, Ellerd, Ellison, Fabrega, Gould, Hemstad, Johnston, Keyser, Kropp, Lien, Nordtvedt, Pavlovich, K. Robbins, Sales, Seifert, Tropila, Uhde, Underdal, Mr. Speaker.
Total 21

Excused: Hurwitz, Kanduch.
Total 2

Absent or not voting: Brand, Curtiss, Kessler, Meyer, Moore, O'Connell, Roth, Smith.
Total 8

Dussault moved that the House adjourn until 9:00 a.m., March 27, 1979.

Motion carried.

House adjourned at 9:55 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

SEVENTIETH LEGISLATIVE DAY

Helena, Montana
March 27, 1979

House Chambers
Capitol Building

House convened at 9:01 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Gesek, Huennekens, Hurwitz, Kanduch, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 3/27/79

Will be signed by the Speaker at 5:00 p.m., 3/27/79 - SB 34, SB 97, SB 113, SB 260, SB 355, SB 456.

Signed by the Speaker on adjournment, 3/26/79 - HB 208, HB 219, HB 316, HB 381, HB 661, HB 698, HB 707, HB 820, HJR 14, SB 335, SB 410, SB 450.

Adverse Committee Reports

TAXATION (Huennekens, Chairman): 3/26/79
HB 11, do not pass.
HB 256, do not pass.
HB 321, do not pass.
HB 501, do not pass.

Keyser, Hand, Uhde, Lien, Hirsch, Nathe, Conroy, Nordtvedt, Iverson, Roth objected that HB 11 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

Holmes, Harper, Metcalf, Gilligan, Uhde, Teague, Reichert, Dassinger, Lund, Eudaily objected that HB 781 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

Dassinger, Day, Cooney, Kessler, Williams, Pistoria, Dozier, Metcalf, Manning, Frates objected that HB 841 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

MESSAGES FROM THE GOVERNOR

The Honorable Harold Gerke
Speaker
House of Representatives

3/26/79

Dear Mr. Speaker:

This is to inform you that I have signed the following measures this date:

House Bills Nos. 48, 80, 85, 132, 209, 212, 214, 220, 224, 229, 238, 242, 251, 264, 301, 318, 325, 330, 367, 368, 378, 383, 408, 412, 413, 422, 431, 445, 466, 491, 498, 544, 577, 581, 590, 611, 666, 668, 738, 763 and 846.

Sincerely,

Thomas L. Judge

Governor

MESSAGES FROM THE OTHER HOUSE

Senate Bill passed as amended and transmitted to the House for concurrence: 3/26/79

Senate Bill No. 463, introduced by Kolstad, Dussault, Quilici, Stephens, Underdal, et al

House Joint Resolution indefinitely postponed and returned to the House: 3/26/79

House Joint Resolution No. 36, introduced by Nathe, Lien, Day, Keyser, Huennekens

House Bills and House Joint Resolution concurred in as amended and returned to the House for concurrence in Senate Amendments: 3/26/79

House Bill No. 12, introduced by Scully

House Bill No. 84, introduced by Lory

House Bill No. 112, introduced by Ellis, Brand, Menahan, et al

House Bill No. 124, introduced by Oberg, Uhde, Nordtvedt, et al

House Bill No. 190, introduced by Harper, Porter

House Bill No. 237, introduced by Marks, Moore, Fabrega, et al

House Bill No. 295, introduced by Marks

House Bill No. 298, introduced by Dussault, Fasbender

House Bill No. 329, introduced by Shelden

House Bill No. 416, introduced by Bardanouve

House Bill No. 420, introduced by Hirsch

House Bill No. 436, introduced by Ramirez, Sivertsen, Marks, Conroy, Hand, et al

House Bill No. 566, introduced by Vincent, Watt, Brand, Manning, et al

House Bill No. 621, introduced by Waldron, Fagg, Cooney, McBride, Kemmis, et al

House Bill No. 652, introduced by Harper, Manning, Bengtson

House Bill No. 682, introduced by Hand, Scully, Keyser, Yardley

House Bill No. 751, introduced by Hurwitz

House Joint Resolution No. 37, introduced by Azzara, Kemmis, Vincent, Keyser, Watt, Hurwitz

House Bill not concurred in as amended and returned to the House: 3/26/79

House Bill No. 34, introduced by request of the Department of Health and Environmental Sciences (Frates)

House Bill and House Joint Resolutions concurred in and returned to the House: 3/26/79

House Bill No. 755, introduced by Dussault

House Joint Resolution No. 6, introduced by Hand, Conroy, Johnston, Lien, et al

House Joint Resolution No. 40, introduced by Holmes, Vincent, Metcalf, et al

MOTIONS

Dussault moved that for the duration of this legislative day, all printing reports be deemed read. Motion carried.

Dussault moved that the rules be temporarily suspended to allow all bills passed on Second Reading this day to be placed on Third Reading. Motion carried.

Dussault moved that HB 243 be placed below HB 921 on the Second Reading board this day. Motion carried.

Huennekens present at this time.

Conroy moved that the House reconsider its action on HB 385 on the Sixty-ninth Legislative Day and return the bill to Second Reading for reconsideration. Motion failed. (44-45)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bill was introduced, read first time and referred to committee:

SB 463, introduced by Kolstad, Dussault, Quilici, Stephens, Underdal, Galt, Roth, Iverson, Etchart, Olson, Nelson, Lowe, Ellerd, Hafferman. Referred to Committee on Taxation.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 273 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 80

Noes: Burnett, Ellerd, Hayne, Hemstad, Kropp, Kvaalen, Moore, Pistoria, Roth, Sales, Seifert, Smith, Stobie, Vinger, Wyrick.
Total 15

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Fagg, Hirsch.
Total 2

House Bill No. 356 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Hayne, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 86

Noes: Burnett, Cooney, Ellerd, Ellison, Hemstad, McBride, Rosenthal, Uhde, Waldron.
Total 9

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Harrington, Hirsch.
Total 2

House Bill No. 357 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Huennekens, Iverson, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Schultz, Shelden, Sivertsen, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Williams, Wood, Yardley, Mr. Speaker.
Total 76

Noes: Brand, Burnett, Conroy, Curtiss, Ellerd, Ellison, Hirsch, Jensen, Kropp, Moore, Nordtvedt, K. Robbins, Roth, Sales, Scully, Seifert, Smith, Staigmiller, Vinger, Waldron, Wyrick.
Total 21

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: None.
Total 0

House Bill No. 472 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, Hand, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Johnson, Johnston, Keedy, Kemmis, Kessler, Lory, Lund, McBride, Magone, Manuel, Menahan, Metcalf, Meyer, Moore, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Scully, Shelden, South, Teague, Tropila, Vincent, Waldron, Williams, Wood, Yardley.
Total 58

Noes: Bertelsen, Brand, Burnett, Conroy, Curtiss, Donaldson, Ellerd, Ellison, Ernst, Feda, Harper, Hayne, Iverson, Jensen, Keyser, Kropp,

Kvaalen, Lien, Manning, Marks, Nathe, Nordtvedt, Pistoria, K. Robbins, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Thoft, Uhde, Underdal, Vinger, Wyrick, Mr. Speaker.
Total 39

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: None.
Total 0

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Tropila in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 9 do pass. (76-10)

That HB 282 do pass. (71-18)

That HB 284 do pass. (86-5)

That HB 410 do pass. (84-2)

That HB 418 do pass. (71-12)

That HB 451, second reading copy, be amended as follows: (67-17)

1. Page 1, line 13.
Following: line 12
Strike: "$34,875"
Insert: "$37,875"

And as amended, do pass. Motion failed. (44-49)

That HB 451, as amended, do not pass. (47-44)

That HB 502 do pass. (80-5)

Williams moved that HB 537 be placed below HB 584 on the Second Reading board this day. Motion carried.

That HB 584 do pass. (74-12)

That the Committee rise and report and beg leave to sit again. (Tropila, Chairman). Tropila moved that the committee report be deemed read. Motion carried. Report adopted. (80-5)

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 3/27/79
Considered correctly engrossed - HB 9, HB 213, HB 221, HB 243, HB 282, HB 284, HB 287, HB 303, HB 410, HB 418, HB 502, HB 537, HB 550, HB 584, HB 830, HB 890, HB 895, HB 896, HB 897, HB 901, HB 915, HB 916, HB 919, HB 921.
Correctly engrossed - HB 400, HB 512, HB 568, HB 643, HB 647, HB 821, HB 841, HB 844, HB 873, HB 884, HB 901, HB 908.

Do Pass

TAXATION (Huennekens, Chairman): 3/27/79
HB 161, do pass. Report adopted.
HB 216, do pass. Report adopted.
HB 221, do pass. Report adopted.
HB 400, do pass. Report adopted.
HB 512, do pass. Report adopted.
HB 873, do pass. Report adopted.

MOTIONS

Dussault moved that House Rule H7-3 be temporarily suspended for this legislative day. Motion carried unanimously. (90-0)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 9 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Shelden, Sivertsen, South, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Yardley, Mr. Speaker.
Total 77

Noes: Bertelsen, Brand, Ellerd, Kropp, Kvaalen, Moore, Pistoria, Sales, Smith, Spilker, Stobie, Wood, Wyrick.
Total 13

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Burnett, Conroy, Hand, Nordtvedt, Scully, Seifert, Waldron.
Total 7

House Bill No. 282 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Seifert, Shelden, Sivertsen, South, Spilker, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Yardley, Mr. Speaker.
Total 81

Noes: Brand, Burnett, Ellerd, Kropp, Kvaalen, Moore, Roth, Sales, Staigmiller, Stobie, Underdal, Wood, Wyrick.
Total 13

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Hand, Scully, Smith.
Total 3

House Bill No. 284 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: Brand, Burnett, Ellerd, Smith, Staigmiller.
Total 5

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Fabrega, Hand, Quilici, Scully.
Total 4

House Bill No. 410 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Gilligan, Rosenthal.
Total 2

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Daily, Scully.
Total 2

House Bill No. 418 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel,

Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Shelden, Sivertsen, South, Spilker, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Yardley, Mr. Speaker.
Total 82

Noes: Brand, Burnett, Ellerd, Hayne, Iverson, Kropp, Roth, Sales, Seifert, Smith, Staigmiller, Stobie, Wood, Wyrick.
Total 14

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Scully.
Total 1

House Bill No. 502 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Yardley, Mr. Speaker.
Total 90

Noes: Curtiss, Iverson, Roth, Seifert, Wood, Wyrick.
Total 6

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Scully.
Total 1

House Bill No. 584 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Johnson, Johnston, Keedy, Kemmis, Kessler, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Shelden, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 78

Noes: Bardanouve, Brand, Burnett, Ellerd, Ellis, Hayne, Jensen, Keyser, Kropp, Kvaalen, Marks, Moore, Sales, Seifert, Sivertsen, Smith, Spilker, Wood.
Total 18

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Scully.
Total 1

House recessed at 10:35 a.m.

House reconvened at 10:44 a.m.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Tropila in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 537 do pass. (78-11)

That HB 647, second reading copy, be amended as follows: (77-5)

1. Page 3, lines 15 through 24.
Strike: sections 4, 5 and 6 in their entirety

And as amended, do pass. (59-29)

That HB 679 do pass. Motion failed. (46-48)

That HB 679 do not pass. (48-46)

That HB 745 do pass. Motion failed. (20-64)

That HB 745 do not pass. (61-13)

That HB 895 do pass. (65-19)

That HB 896 do pass. (45-43)

That HB 897 do pass. (60-21)

That HB 901 do pass. Motion failed. (45-47)

That HB 901 do not pass. Motion failed. (46-48)

Dussault moved that the House reconsider its action in failing to pass HB 901. Motion carried. (74-16)

That HB 901 do pass. (50-42)

That HB 907 do pass. Motion failed. (24-61)

That HB 907 do not pass. (58-28)

Reichert moved that HB 919 be placed above HB 908. Motion carried.

That HB 919 do pass. (46-40)

That HB 908, second reading copy, be amended as follows: (73-7)

1. Page 2, line 15.
Following: "of"
Strike: "$1,500,000"
Insert: "$500,000"

2. Page 3, lines 5 through 10.

Following: "Department."
Strike: remainder of line 5 through line 10 in their entirety

And as amended, do pass. (56-31)

McBride moved that the Journal reflect that she abstained from voting on HB 908 due to personal interest. Motion carried.

That HB 918 do pass. Motion failed. (35-56)

That HB 918 do not pass. (56-33)

That HB 921 do pass. (72-12)

That HB 243 do pass. (55-36)

That the Committee rise and report and beg leave to sit again. (Tropila, Chairman). Tropila moved that the committee report be deemed read. Motion carried. Report adopted. (82-8)

MOTIONS

Smith moved that he be recorded as voting aye on Conroy's motion to reconsider action on HB 385. Motion carried unanimously.

Thoft moved that he be allowed to change his vote from nay to aye on the Second Reading vote on HB 679. Motion carried unanimously.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 122 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Huennekens, Iverson, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Sivertsen, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 86

Noes: Bertelsen, Conroy, Gould, Hirsch, Jensen, Seifert, Smith, Staigmiller.
Total 8

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Scully, Shelden, Waldron.
Total 3

House Bill No. 269 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston,

Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Hirsch, Scully, Shelden, Waldron.
Total 4

House Bill No. 299 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Burnett, Ellison, Jensen, Staigmiller.
Total 4

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Sales, Scully, Shelden.
Total 3

House Bill No. 385 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Brand, Cooney, Curtiss, Daily, Dassinger, Dozier, Dussault, Ellis, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, Harper, Harrington, Holmes, Huennekens, Kemmis, Lory, McBride, Magone, Manning, Menahan, Metcalf, Meyer, Moore, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, Rosenthal, Scully, South, Spilker, Teague, Tropila, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 50

Noes: Bengtson, Bennett, Bertelsen, Burnett, Conroy, Day, Donaldson, Ellerd, Ellison, Ernst, Feda, Hand, Hayne, Hemstad, Hirsch, Iverson, Jensen, Johnson, Johnston, Kessler, Keyser, Kropp, Kvaalen, Lien, Lund, Manuel, Marks, Nathe, H. Robbins, K. Robbins, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, Staigmiller, Stobie, Thoft, Uhde, Underdal, Vinger, Wyrick.
Total 43

Paired: Scully, Aye; Conroy, No.

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Keedy, Nordtvedt, Ramirez, Shelden.
Total 4

House Bill No. 398 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Schultz, Seifert, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 87

Noes: Ellis, Fagg, Hayne, Porter, K. Robbins, Sales, Smith, Stobie.
Total 8

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Scully, Shelden.
Total 2

House Bill No. 427 was passed by the following vote:

Ayes: Azzara, Baeth, Bengtson, Conroy, Cooney, Daily, Day, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Iverson, Johnson, Johnston, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Schultz, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 69

Noes: Anderson, Bardanouve, Bennett, Bertelsen, Brand, Burnett, Curtiss, Dassinger, Donaldson, Ellerd, Hayne, Jensen, Keyser, Lien, K. Robbins, Roth, Seifert, Sivertsen, Smith, South, Spilker, Stobie, Vinger, Wood, Wyrick.
Total 25

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Hemstad, Scully, Shelden.
Total 3

House Bill No. 429 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lund, McBride, Magone,

Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: Curtiss, Hand, Lory, Nordtvedt, Porter, Sales, Wood.
Total 7

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Scully, Smith.
Total 2

House Bill No. 479 failed to pass by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Dassinger, Dozier, Dussault, Fabrega, Fagg, Feda, Frates, Gilligan, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Keedy, Kemmis, Kvaalen, Lien, Manning, Metcalf, Oberg, O'Connell, Porter, Ramirez, Reichert, H. Robbins, Rosenthal, Shelden, Sivertsen, South, Teague, Tropila, Uhde, Vincent, Vinger, Waldron, Wood, Yardley, Mr. Speaker.
Total 43

Noes: Anderson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily, Gould, Hayne, Hemstad, Iverson, Jensen, Johnson, Johnston, Keyser, Kropp, Lory, Lund, McBride, Magone, Manuel, Marks, Menahan, Moore, Nathe, Nordtvedt, Pavlovich, Pistoria, Quilici, K. Robbins, Roth, Sales, Schultz, Seifert, Smith, Spilker, Staigmiller, Stobie, Thoft, Underdal, Williams, Wyrick.
Total 51

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Kessler, Meyer, Scully.
Total 3

House Bill No. 496 was passed by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bertelsen, Brand, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Ellison, Ernst, Fabrega, Feda, Frates, Gilligan, Gould, Harper, Harrington, Hemstad, Hirsch, Huennekens, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Lund, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Seifert, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Underdal, Vinger, Waldron, Williams, Wood, Wyrick.
Total 66

Noes: Baeth, Bennett, Burnett, Conroy, Curtiss, Dussault, Ellerd, Ellis, Eudaily, Fagg, Hand, Hayne, Holmes, Kvaalen, Lory, McBride, Metcalf, Nordtvedt, Porter, Roth, Sales, Shelden, Smith, Stobie, Uhde, Vincent, Yardley, Mr. Speaker.
Total 28

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Lien, Pistoria, Scully.
Total 3

House Bill No. 509 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: Burnett, Conroy, Curtiss, Hand, Pavlovich, K. Robbins, Roth, Staigmiller.
Total 8

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Scully.
Total 1

House Bill No. 534 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 85

Noes: Bennett, Ellerd, Ellison, Jensen, Lory, Smith, Thoft, Tropila.
Total 8

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Bardanouve, Lien, Roth, Scully.
Total 4

House Bill No. 692 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bennett, Bertelsen, Brand, Burnett, Cooney, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Kvaalen, Lien, Lory, McBride, Magone, Manning, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Shelden,

Sivertsen, Smith, South, Spilker, Teague, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 76

Noes: Bengtson, Conroy, Curtiss, Day, Ernst, Feda, Hayne, Keyser, Kropp, Lund, Manuel, Nathe, Schultz, Staigmiller, Stobie, Underdal, Vinger, Wyrick.
Total 18

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Bardanouve, Scully, Seifert.
Total 3

House Bill No. 754 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Cooney, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Shelden, Sivertsen, South, Teague, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 68

Noes: Bennett, Brand, Burnett, Conroy, Curtiss, Day, Ellerd, Ellison, Hayne, Iverson, Jensen, Kropp, Kvaalen, Moore, Nathe, Nordtvedt, Oberg, Roth, Sales, Seifert, Smith, Spilker, Staigmiller, Stobie, Underdal, Vinger, Wood.
Total 27

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Feda, Scully.
Total 2

House Bill No. 760 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: Ernst, Hayne, Moore, Nordtvedt, Oberg, Ramirez, Sivertsen, Smith.
Total 8

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Scully.
Total 1

House Bill No. 773 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Curtiss, Daily, Dassinger, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Gilligan, Gould, Hand, Harrington, Holmes, Huennekens, Jensen, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Sales, Seifert, Shelden, Sivertsen, Smith, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick.
Total 73

Noes: Cooney, Day, Dussault, Feda, Frates, Harper, Hayne, Hemstad, Hirsch, Iverson, Johnson, Lien, McBride, Oberg, Porter, Rosenthal, Roth, Schultz, South, Spilker, Vinger, Yardley, Mr. Speaker.
Total 23

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Scully.
Total 1

House Bill No. 807 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Daily, Donaldson, Dozier, Dussault, Ellis, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Marks, Menahan, Metcalf, Meyer, Moore, O'Connell, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Stobie, Teague, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 72

Noes: Bennett, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Ellerd, Ellison, Ernst, Hirsch, Kropp, Manuel, Nathe, Oberg, Pavlovich, Rosenthal, Spilker, Staigmiller, Thoft, Tropila, Vinger.
Total 23

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Nordtvedt, Scully.
Total 2

House Bill No. 849 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Brand, Burnett, Conroy, Cooney, Daily, Dassinger, Day, Dozier, Fabrega, Frates, Gilligan, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Iverson, Johnson, Johnston, Keedy, Kemmis, Kessler, Lien, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Shelden, Smith, South, Staigmiller, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 58

Noes: Bennett, Bertelsen, Curtiss, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Gould, Hayne, Hemstad, Jensen, Keyser, Kropp,

Kvaalen, Lory, Marks, Meyer, Moore, Nordtvedt, Porter, Ramirez, Roth, Sales, Schultz, Seifert, Sivertsen, Spilker, Stobie, Thoft, Underdal, Vinger, Wood, Wyrick.
Total 37

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Dussault, Scully.
Total 2

House Bill No. 868 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, Rosenthal, Roth, Schultz, Shelden, South, Staigmiller, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 73

Noes: Brand, Ellerd, Feda, Hayne, Jensen, Kropp, Kvaalen, Marks, Nathe, Porter, Ramirez, K. Robbins, Sales, Seifert, Sivertsen, Smith, Spilker, Stobie, Thoft, Underdal, Vinger, Wood, Wyrick.
Total 23

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Scully.
Total 1

House Bill No. 894 was passed by the following vote:

Ayes: Anderson, Baeth, Bengtson, Burnett, Conroy, Curtiss, Dassinger, Day, Donaldson, Dozier, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Iverson, Johnson, Johnston, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, Rosenthal, Roth, Schultz, Seifert, Shelden, South, Spilker, Staigmiller, Stobie, Teague, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 69

Noes: Azzara, Bardanouve, Bertelsen, Brand, Daily, Dussault, Ellerd, Harper, Huennekens, Jensen, Keedy, McBride, Moore, Nathe, Nordtvedt, Oberg, O'Connell, K. Robbins, Sales, Sivertsen, Smith, Thoft, Tropila, Yardley.
Total 24

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Bennett, Cooney, Reichert, Scully.
Total 4

House Bill No. 903 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harrington, Hayne, Hirsch, Holmes, Iverson, Jensen, Johnston, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Schultz, Shelden, Sivertsen, South, Spilker, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 73

Noes: Bennett, Brand, Burnett, Conroy, Curtiss, Ellis, Ellison, Harper, Huennekens, Johnson, Kropp, Nordtvedt, Oberg, Pistoria, K. Robbins, Roth, Seifert, Smith, Staigmiller, Uhde, Vinger, Yardley.
Total 22

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Hemstad, Scully.
Total 2

House Bill No. 905 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellison, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Huennekens, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, K. Robbins, Schultz, South, Stobie, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 66

Noes: Brand, Burnett, Conroy, Day, Ellerd, Ellis, Ernst, Hirsch, Iverson, Jensen, Moore, Nathe, Nordtvedt, Oberg, Porter, Ramirez, Rosenthal, Roth, Sales, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Thoft, Underdal, Vinger, Wood, Wyrick.
Total 29

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Scully, Shelden.
Total 2

House Bill No. 913 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Burnett, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 87

Noes: Bennett, Brand, Conroy, Day, Nordtvedt, Rosenthal, Teague, Vinger.
Total 8

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Scully, Staigmiller.
Total 2

House Bill No. 914 failed to pass by the following vote:

Ayes: Bardanouve, Bengtson, Bertelsen, Brand, Cooney, Daily, Dassinger, Dozier, Dussault, Ernst, Eudaily, Fagg, Feda, Gilligan, Harrington, Hirsch, Huennekens, Iverson, Johnson, Johnston, Kvaalen, Lund, McBride, Magone, Manning, Manuel, Menahan, Moore, Nordtvedt, Oberg, Pavlovich, Pistoria, Quilici, Ramirez, South, Teague, Uhde, Underdal, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 44

Noes: Anderson, Azzara, Baeth, Bennett, Burnett, Conroy, Curtiss, Day, Donaldson, Ellerd, Ellis, Ellison, Fabrega, Frates, Gould, Hand, Harper, Hayne, Hemstad, Holmes, Jensen, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Marks, Metcalf, Meyer, Nathe, O'Connell, Porter, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Thoft, Tropila, Vincent, Vinger.
Total 52

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Scully.
Total 1

House Joint Resolution No. 39 was passed by the following vote:

Ayes: Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Johnson, Johnston, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Seifert, Shelden, Sivertsen, South, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 80

Noes: Anderson, Ellerd, Hayne, Jensen, Keyser, Nordtvedt, Porter, Sales, Smith, Spilker, Stobie, Thoft, Vinger, Wood, Wyrick.
Total 15

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Bardanouve, Scully.
Total 2

Senate Bill No. 393 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Daily, Dassinger, Day,

Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Sales, Schultz, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: Curtiss, Keyser, Lund, Pavlovich, Roth, Smith.
Total 6

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Kropp, H. Robbins, Scully.
Total 3

House Bill No. 537 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Gilligan, Gould, Hand, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 80

Noes: Fabrega, Harper, Iverson, Jensen, Moore, Ramirez, Seifert, Sivertsen, Smith, South, Stobie, Waldron.
Total 12

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Bardanouve, Frates, Hayne, Pistoria, Scully.
Total 5

House Bill No. 647 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Johnson, Johnston, Keedy, Kemmis, Kessler, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Shelden, South, Teague, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 68

Noes: Bardanouve, Conroy, Ellerd, Ellis, Ellison, Ernst, Feda, Hand, Jensen, Keyser, Kropp, Kvaalen, Lory, Pistoria, Porter, Ramirez, Sales, Schultz, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Underdal, Vinger, Wood, Wyrick.

Total 28

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Scully.
Total 1

House Bill No. 895 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnson, Kemmis, Kessler, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Nathe, Nordtvedt, Oberg, O'Connell, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Schultz, Seifert, Shelden, Sivertsen, South, Teague, Tropila, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 70

Noes: Brand, Conroy, Curtiss, Ellerd, Ellison, Feda, Hayne, Hemstad, Iverson, Jensen, Johnston, Keedy, Keyser, Kvaalen, Meyer, Moore, Pavlovich, K. Robbins, Roth, Smith, Spilker, Staigmiller, Stobie, Thoft, Uhde, Vinger.
Total 26

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Scully.
Total 1

House Bill No. 896 was passed by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Burnett, Cooney, Curtiss, Daily, Day, Donaldson, Dussault, Fabrega, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Huennekens, Johnson, Johnston, Kropp, Lien, Lund, Manning, Manuel, Menahan, Metcalf, Meyer, O'Connell, Pavlovich, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, South, Staigmiller, Teague, Tropila, Uhde, Vincent, Waldron, Wyrick, Yardley, Mr. Speaker.
Total 48

Noes: Anderson, Bennett, Bertelsen, Brand, Conroy, Dassinger, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Hayne, Holmes, Iverson, Jensen, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lory, McBride, Magone, Marks, Moore, Nathe, Nordtvedt, Oberg, Pistoria, Porter, Ramirez, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Stobie, Thoft, Underdal, Vinger, Williams, Wood.
Total 47

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Feda, Scully.
Total 2

House Bill No. 897 was passed by the following vote:

Ayes: Azzara, Baeth, Bengtson, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Ellis, Eudaily, Fabrega, Fagg, Frates, Gilligan, Hand, Harper, Harrington, Holmes, Huennekens, Johnson, Johnston, Kemmis,

Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Shelden, Sivertsen, South, Teague, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 65

Noes: Anderson, Bennett, Bertelsen, Brand, Burnett, Conroy, Curtiss, Dussault, Ellerd, Ernst, Feda, Gould, Hayne, Hemstad, Hirsch, Iverson, Jensen, Keedy, Keyser, Nordtvedt, Roth, Seifert, Smith, Spilker, Staigmiller, Stobie, Underdal, Vinger, Wyrick.
Total 29

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Bardanouve, Ellison, Scully.
Total 3

House Bill No. 901 was passed by the following vote:

Ayes: Azzara, Baeth, Bengtson, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dussault, Fabrega, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Johnson, Johnston, Keedy, Kemmis, Lien, Magone, Manning, Manuel, Menahan, Metcalf, Nordtvedt, O'Connell, Pavlovich, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Shelden, South, Staigmiller, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 52

Noes: Anderson, Bardanouve, Bennett, Bertelsen, Brand, Conroy, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Hayne, Iverson, Jensen, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, McBride, Marks, Nathe, Oberg, Pistoria, Porter, Ramirez, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, Spilker, Stobie, Thoft, Underdal, Vinger, Wood, Wyrick.
Total 42

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Meyer, Moore, Scully.
Total 3

House Bill No. 919 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Daily, Dassinger, Day, Dussault, Eudaily, Fagg, Frates, Gilligan, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Johnson, Johnston, Keedy, Kemmis, Kropp, Lien, McBride, Magone, Manning, Menahan, Metcalf, Oberg, O'Connell, Pistoria, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Teague, Tropila, Uhde, Vincent, Williams, Yardley, Mr. Speaker.
Total 50

Noes: Conroy, Curtiss, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Fabrega, Feda, Gould, Hayne, Iverson, Jensen, Kessler, Keyser, Kvaalen, Lory, Lund, Manuel, Marks, Meyer, Moore, Nathe, Nordtvedt, Pavlovich, Porter, Ramirez, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Underdal, Vinger, Waldron, Wood, Wyrick.
Total 44

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Bardanouve, Scully, Shelden.
Total 3

House Bill No. 908 was passed by the following vote:

Ayes: Anderson, Azzara, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Iverson, Johnson, Johnston, Kessler, Keyser, Lien, Lory, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 62

Noes: Baeth, Bardanouve, Brand, Donaldson, Ellerd, Ellis, Ellison, Ernst, Gould, Hirsch, Huennekens, Jensen, Keedy, Kemmis, Kropp, Kvaalen, Lund, Marks, Moore, Oberg, Ramirez, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Wood, Wyrick.
Total 32

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Scully, Vinger.
Total 2

Abstaining: McBride.
Total 1

House Bill No. 921 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Schultz, Shelden, Sivertsen, South, Teague, Tropila, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 75

Noes: Burnett, Conroy, Curtiss, Ellerd, Ellison, Hayne, Hemstad, Iverson, Keyser, Pavlovich, K. Robbins, Sales, Seifert, Smith, Spilker, Staigmiller, Stobie, Thoft, Uhde, Underdal.
Total 20

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Roth, Scully.
Total 2

House Bill No. 243 was passed by the following vote:

Ayes: Baeth, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gilligan, Gould, Hand, Harper, Harrington, Hayne,

Hemstad, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Keyser, Kropp, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Yardley, Mr. Speaker.
Total 74

Noes: Anderson, Azzara, Bardanouve, Bennett, Dussault, Ellerd, Ellis, Frates, Hirsch, Keedy, Kemmis, Kessler, Kvaalen, Lund, Moore, Oberg, Sales, Seifert, South, Waldron, Wood, Wyrick.
Total 22

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Scully.
Total 1

REPORTS OF SELECT COMMITTEES

FREE JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 603
Report No. 1, March 27, 1979

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 603, met March 27, 1979, and considered:

1. Senate Committee on Judiciary amendments to the third reading copy, dated March 8, 1979.

We recommend that:

1. the House accede to the Committee amendment numbers 1 through 3;

2. House Bill No. 603 be further amended as indicated in CLERICAL INSTRUCTION number 1;

3. the reference (engrossed) copy of House Bill No. 603 read as specified in the CLERICAL INSTRUCTIONS;

4. the Conference Committee Report to House Bill No. 603 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 2, line 7.
Following: "~~limited~~ ~~to~~"
Strike: "IS"
Insert: "consists of"

FOR THE HOUSE:	FOR THE SENATE:
HARPER	GALT
SIVERTSEN	ANDERSON
PAVLOVICH	VAN VALKENBURG

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House joint resolution was introduced, read first time and referred to committee:

HJR 63, introduced by Waldron, Ramirez, Gerke, Marks. Referred to Committee on Rules.

House at ease at 2:29 p.m.

House reconvened at 3:05 p.m.

COMMUNICATIONS AND PETITIONS

Mrs. Martha McGee 3/27/79
Chief Clerk
House of Representatives

Dear Mrs. McGee:

I have this day appointed the following Representatives to serve on the Capitol Building Committee:

Representative Jerry Metcalf, Helena

Representative Barbara Spilker, Helena

Sincerely,

Harold E. Gerke
Speaker

Mr. Terrence D. Carmody 3/27/79
Executive Director
Environmental Quality Council
1228 11th Avenue
Helena, Montana 59601

Dear Mr. Carmody:

I have this day appointed the following people to serve on the Environmental Quality Council for the 1979-80 biennium:

Representative Dan Kemmis, Democrat

Representative Art Shelden, Democrat

Representative Verner Bertelsen, Republican

Representative Dennis Nathe, Republican

Doris Milner, Hamilton

Norm Starr, Melville

Sincerely,

Harold E. Gerke
Speaker

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 3/27/79

Correctly printed - HB 9, HB 64, HB 243, HB 282, HB 284, HB 287, HB 303, HB 410, HB 418, HB 451, HB 502, HB 537, HB 584, HB 633, HB 643, HB 647, HB 745, HB 844, HB 890, HB 892, HB 895, HB 896, HB 897, HB 901, HB 918, HB 919, HB 921.

Considered correctly engrossed - HB 122, HB 269, HB 385, HB 398, HB 427, HB 429, HB 479, HB 496, HB 509, HB 534, HB 692, HB 760, HB 773, HB 807, HB 849, HB 894, HB 905, HB 913, HB 914, HJR 39.

Correctly engrossed - HB 299, HB 754, HB 868, HB 903.
Correctly enrolled - HB 15, HB 23, HB 179, HB 473, HB 516, HB 531, HB 553, HB 578, HB 599, HB 686, HB 687, HB 693, HB 714, HB 722, HB 741, HB 746, HJR 13, HJR 34.

Examined by the Sponsor and found to be correct - HB 15, HB 23, HB 179, HB 473, HB 516, HB 531, HB 553, HB 578, HB 599, HB 686, HB 687, HB 693, HB 714, HB 722, HB 741, HB 746, HJR 13, HJR 34.

Will be signed by the Speaker on adjournment, 3/27/79 - HB 15, HB 23, HB 179, HB 473, HB 516, HB 531, HB 553, HB 578, HB 599, HB 686, HB 687, HB 693, HB 714, HB 722, HB 741, HB 746, HJR 13, HJR 34.

Do Pass

APPROPRIATIONS (Bardanouve, Chairman): 3/27/79
HB 906, do pass. Report adopted.

Adverse Committee Reports

APPROPRIATIONS (Bardanouve, Chairman): 3/27/79
HB 922, do not pass.

MOTIONS

Dussault moved that the rules be temporarily suspended so that all bills reported out of committee this day with a do not pass recommendation and without objections may be voted upon by the body this day. Motion carried.

Dussault moved that those bills being reported out of committee this day with a do not pass recommendation be printed on a supplementary reading list in numerical order and be considered after those bills already on the members' desks. Motion carried. (52-48)

Dassinger moved that his vote on Third Reading this day on HB 385 be changed from aye to nay. Motion carried unanimously.

Bengtson moved that her vote HB 914 on Third Reading this day be recorded as nay. Motion carried unanimously.

Lien moved that the House reconsider its action taken earlier this day on HB 479 and return it to Second Reading for debate. Motion carried. (48-42)

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Tropila in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 64 do pass. Motion failed. (42-49)

That HB 64 do not pass. Motion failed. (46-46)

Dussault moved that the House reconsider its action in failing to pass HB 64. Motion carried. (62-24)

Fabrega requested that the ayes and nays of HB 64 be spread upon the Journal, sufficient seconds arose, and HB 64 passed by the following vote: (48-47)

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ernst, Fabrega, Frates, Gerke, Gould, Harper, Harrington, Holmes, Huennekens, Johnson, Kvaalen, Lien, Lund, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Oberg, Pavlovich, Porter, Quilici, Reichert, H. Robbins, Rosenthal, Shelden, South, Spilker, Teague, Tropila, Vincent, Williams, Wood, Yardley.
Total 48

Noes: Anderson, Bennett, Brand, Burnett, Conroy, Curtiss, Ellerd, Ellis, Ellison, Eudaily, Fagg, Feda, Gilligan, Hayne, Hemstad, Hirsch, Iverson, Jensen, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Lory, McBride, Marks, Nathe, Nordtvedt, O'Connell, Pistoria, Ramirez, K. Robbins, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, Staigmiller, Stobie, Thoft, Uhde, Underdal, Vinger, Waldron, Wyrick.
Total 47

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Hand, Scully.
Total 2

Huennekens moved that HB 213 be placed at the bottom of the board. Motion carried. (55-26)

That HB 287 do pass. (94-0)

That HB 550 do pass. (77-4)

That HB 568, second reading copy, second printing, be amended as follows: (82-0)

1. Page 7, lines 12 through 17.
Strike: lines 12 through 17 in their entirety
Insert: "After June 30, 1981:

(1) the fee for issuance of original certificate of ownership of title and for transfer of registration under 61-3-203 is $3. The amount to be remitted to the county treasurer under 61-3-203(1) is $2.

(2) the fee for a duplicate certificate of ownership under 61-3-204 is $2;

(3) the registration fee under 61-3-321(5) is $1; and

(4) the provisions of subsections (2)(b), (2)(c), (2)(d), and (2)(e) of [section 5] terminate."

And as amended, do pass. (55-39)

Nordtvedt moved that HB 633 be moved to the bottom of the board. Motion carried. (54-36)

That HB 643, second reading copy, be amended as follows: (72-6)

1. Page 7, line 3.
Following: "pipelines"

Insert: "other than natural gas pipelines"

2. Page 7, lines 12 and 13.
Following: "property"
Strike: "other than"
Insert: "including natural gas"

And as amended, do pass. (69-23)

That HB 814 do pass. Motion failed. (41-50)

That HB 814 do not pass. (53-38)

That HB 821, second reading copy, be amended as follows: (78-0)

1. Page 2.
Following: line 21
Insert: "(5) New small business property located in an urban renewal area subject to tax increment provisions, as defined in 7-15-4283, is not eligible for classification in this class."
Renumber: subsequent subsection

And as amended, do pass. (55-32)

That HB 830 do pass. (55-34)

That HB 831 do pass. Motion failed. (39-49)

That HB 831 do not pass. (46-42)

Dussault replaced Tropila in the Chair.

That HB 844, second reading copy, be amended as follows: (65-18)

1. Page 4, lines 6 through 9.
Following: "fund."
Strike: remainder of line 6 through line 9

2. Page 17, lines 1 through 4.
Following: "county"
Strike: remainder of lines 1 through 4 in their entirety
Insert: "."

3. Page 18, lines 8 and 9.
Following: "~~proceeds~~"
Strike: "THE LICENSE TAX PROCEEDS ALLOCATED TO THE DEPARTMENT MAY NOT BE USED FOR THE COSTS OF ADMINISTRATION."

4. Page 18, line 12.
Following: "PURPOSE"
Insert: "from the earmarked revenue fund"

5. Page 19, line 3.
Following: "[SECTION"
Strike: "11"
Insert: "12"

6. Page 19, line 4.
Following: "THIS"
Strike: "SECTION"
Insert: "subsection"

7. Page 19.
Following: line 6

Insert: "(5) A county may retain up to 5% of the money allocated to it under subsection (3)."

That HB 844, second reading copy, Statement of Intent, be amended as follows:

1. Page 1, line 6.
Following: "Section"
Strike: "12"
Insert: "13"

Bardanouve moved that HB 844, as amended, be placed at the bottom of the board. Motion carried.

Vincent moved that HB 848 be placed at the bottom of the board. Motion carried.

Tropila back in the Chair.

That HB 884, second reading copy, be amended as follows: (70-4)

1. Page 12, line 1.
Following: "systems,"
Strike: "including"
Insert: "excluding"

2. Page 12, line 2 and line 3.
Following: "stoves"
Strike: "meeting strict efficiency standards and used for auxiliary heat"
Insert: "and fireplaces"

And as amended, do pass. (64-14)

That HB 915 do pass. (67-11)

That HB 916 do pass. (43-40)

That the Committee rise and report. (Tropila, Chairman). Tropila moved that the committee report be deemed read. Motion carried. Burnett moved that HB 831 be segregated from the Committee of the Whole Report and, as amended, be adopted. Cooney moved that Burnett's motion and the adoption of the committee report be divided. Thereupon, Burnett's motion to segregate HB 831 failed. (39-46) Bardanouve moved that HB 830 be segregated from the Committee of the Whole Report. Motion failed. (41-48) Report adopted. (79-11)

REPORTS OF STANDING COMMITTEES

Adverse Committee Reports

On motion by Bardanouve, the Adverse Committee Report on HB 117 was adopted by the following vote: (76-16)

Ayes: Anderson, Baeth, Bardanouve, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Huennekens, Iverson, Jensen, Johnson, Johnston, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Marks, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.

Total 76

Noes: Bengtson, Brand, Ellis, Harrington, Holmes, Keedy, Manning, Manuel, Menahan, Metcalf, Meyer, Pavlovich, H. Robbins, Teague, Tropila, Uhde.
Total 16

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Azzara, Burnett, Day, Ellison, Scully.
Total 5

On motion by Bardanouve, the Adverse Committee Report on HB 681 was adopted by the following vote: (62-31)

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Curtiss, Dassinger, Donaldson, Dussault, Ellerd, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hand, Hayne, Hemstad, Hirsch, Iverson, Jensen, Johnson, Johnston, Kessler, Kropp, Kvaalen, Lory, Lund, Magone, Marks, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Porter, Quilici, Ramirez, K. Robbins, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Stobie, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 62

Noes: Azzara, Cooney, Daily, Dozier, Ellis, Frates, Gilligan, Harper, Harrington, Holmes, Huennekens, Keedy, Kemmis, Keyser, McBride, Manning, Manuel, Menahan, Metcalf, Oberg, Pavlovich, Pistoria, Reichert, H. Robbins, Rosenthal, Staigmiller, Teague, Thoft, Tropila, Uhde, Waldron.
Total 31

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Day, Ellison, Lien, Scully.
Total 4

On motion by Bardanouve, the Adverse Committee Report on HB 757 was adopted by the following vote: (65-27)

Ayes: Anderson, Baeth, Bardanouve, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Donaldson, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Hand, Harper, Harrington, Hayne, Hirsch, Huennekens, Iverson, Jensen, Johnson, Johnston, Kemmis, Kropp, Kvaalen, Lien, Lory, Lund, Marks, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Porter, Ramirez, Reichert, K. Robbins, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 65

Noes: Azzara, Bengtson, Brand, Daily, Dassinger, Dozier, Frates, Gilligan, Gould, Holmes, Keedy, Keyser, McBride, Magone, Manning, Manuel, Menahan, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, H. Robbins, Teague, Tropila, Uhde, Waldron.
Total 27

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Day, Hemstad, Kessler, Rosenthal, Scully.
Total 5

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 64 failed to pass by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bertelsen, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ernst, Fabrega, Feda, Frates, Gould, Harper, Harrington, Holmes, Huennekens, Johnson, Kvaalen, Lund, Magone, Manning, Manuel, Moore, Oberg, Quilici, Reichert, H. Robbins, Rosenthal, Shelden, South, Spilker, Staigmiller, Teague, Tropila, Vincent, Williams, Wood, Yardley, Mr. Speaker.
Total 43

Noes: Anderson, Bengtson, Bennett, Brand, Burnett, Conroy, Curtiss, Ellerd, Ellis, Ellison, Eudaily, Fagg, Gilligan, Hand, Hayne, Hemstad, Hirsch, Iverson, Jensen, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Lory, McBride, Marks, Menahan, Meyer, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, K. Robbins, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, Stobie, Thoft, Uhde, Underdal, Vinger, Waldron, Wyrick.
Total 51

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Lien, Metcalf, Scully.
Total 3

House Bill No. 287 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: O'Connell.
Total 1

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Scully.
Total 1

House Bill No. 550 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, McBride, Magone, Manning, Manuel,

Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Day, Ellison, Hirsch, Kvaalen, Lund, Seifert, Underdal.
Total 7

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Scully.
Total 1

House Bill No. 568 was passed by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Brand, Conroy, Cooney, Daily, Donaldson, Dozier, Dussault, Ellerd, Eudaily, Fabrega, Fagg, Frates, Gilligan, Hand, Harper, Harrington, Hemstad, Holmes, Huennekens, Keedy, Kemmis, Kessler, Keyser, Lory, McBride, Magone, Manning, Marks, Metcalf, Meyer, Moore, Nordtvedt, Oberg, Quilici, Reichert, H. Robbins, Rosenthal, Sales, Shelden, Staigmiller, Underdal, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 49

Noes: Anderson, Bengtson, Bennett, Bertelsen, Burnett, Curtiss, Dassinger, Day, Ellis, Ellison, Ernst, Feda, Gould, Hayne, Hirsch, Iverson, Jensen, Johnson, Johnston, Kropp, Kvaalen, Lien, Lund, Manuel, Menahan, Nathe, Pavlovich, Pistoria, Porter, Ramirez, K. Robbins, Roth, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Vinger, Wood, Wyrick.
Total 46

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: O'Connell, Scully.
Total 2

House Bill No. 643 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Cooney, Daily, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Johnson, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Sales, Schultz, Seifert, Shelden, Sivertsen, South, Spilker, Teague, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 77

Noes: Burnett, Conroy, Curtiss, Dassinger, Feda, Hayne, Jensen, Johnston, Keyser, Nathe, Pavlovich, H. Robbins, Roth, Smith, Staigmiller, Stobie, Underdal, Vinger, Wyrick.
Total 19

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Scully.
Total 1

House Bill No. 821 was passed by the following vote:

Ayes: Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ernst, Fabrega, Fagg, Feda, Frates, Gilligan, Hand, Harper, Harrington, Hemstad, Holmes, Huennekens, Johnson, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Oberg, O'Connell, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Shelden, South, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 60

Noes: Anderson, Bardanouve, Conroy, Donaldson, Ellerd, Ellis, Ellison, Eudaily, Gould, Hayne, Hirsch, Iverson, Jensen, Johnston, Kropp, Lory, Lund, Marks, Nathe, Nordtvedt, Pavlovich, Pistoria, Ramirez, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Thoft, Vinger, Wood, Wyrick.
Total 36

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Scully.
Total 1

House Bill No. 830 was passed by the following vote:

Ayes: Anderson, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Day, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Iverson, Jensen, Johnson, Johnston, Keedy, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Manuel, Marks, Meyer, Moore, Nathe, O'Connell, Pistoria, Porter, Ramirez, H. Robbins, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vinger, Wood, Wyrick.
Total 61

Noes: Azzara, Baeth, Bardanouve, Brand, Cooney, Daily, Dassinger, Dozier, Dussault, Ellis, Frates, Harper, Holmes, Huennekens, Kemmis, Kessler, McBride, Magone, Manning, Menahan, Metcalf, Oberg, Pavlovich, Quilici, Reichert, K. Robbins, Rosenthal, Shelden, South, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 34

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Nordtvedt, Scully.
Total 2

House Bill No. 884 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Kvaalen, Lory, Lund, McBride, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Schultz, Shelden, Sivertsen, South,

Spilker, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 76

Noes: Bardanouve, Donaldson, Ellerd, Hand, Harper, Hayne, Keyser, Kropp, Lien, Magone, K. Robbins, Roth, Sales, Seifert, Smith, Staigmiller, Stobie, Yardley.
Total 18

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Bertelsen, Nordtvedt, Scully.
Total 3

House Bill No. 915 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Brand, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, South, Spilker, Teague, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 78

Noes: Bennett, Bertelsen, Burnett, Conroy, Curtiss, Ellison, Hayne, Iverson, Keyser, Kropp, Nathe, Ramirez, Smith, Staigmiller, Underdal, Vinger, Wyrick.
Total 17

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Scully, Stobie.
Total 2

House Bill No. 916 was passed by the following vote:

Ayes: Baeth, Bardanouve, Bengtson, Brand, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Ernst, Fabrega, Fagg, Frates, Gilligan, Hand, Harper, Harrington, Holmes, Huennekens, Jensen, Johnson, Keedy, Kemmis, Kessler, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Moore, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Shelden, South, Staigmiller, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Mr. Speaker.
Total 57

Noes: Anderson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Donaldson, Ellerd, Ellison, Eudaily, Feda, Gould, Hayne, Hemstad, Hirsch, Iverson, Johnston, Keyser, Kropp, Marks, Meyer, Nathe, Nordtvedt, Porter, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, Spilker, Stobie, Thoft, Underdal, Vinger, Wood, Wyrick, Yardley.
Total 38

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Azzara, Scully.

Total 2

MOTIONS

O'Connell moved that she be allowed to change her vote on HB 287 from nay to aye. Motion carried unanimously. (83-0)

Tropila moved that HB 858 be taken from the Committee on Taxation and placed on the bottom of the Second Reading board this day. Motion carried. (64-22)

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Tropila in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Dussault moved that SB 44 be placed at the bottom of the Second Reading board this day. Motion carried.

Dussault moved that SB 200 pass consideration for the day. Motion carried.

That House Judiciary Committee Amendments to Senate Bill No. 202, third reading copy, dated 3/23/79, be amended as follows: (68-5)

1. Amendment No. 1, insertion paragraph.
Following: line 3 of insertion paragraph
Insert: "The chief judge of the district shall have authority to assign a judge to such office."

And as amended, be concurred in. (60-21)

That SB 221 be concurred in. (81-2)

That HB 213 do pass. (88-3)

That HB 11, introduced bill, be amended as follows: (65-24)

1. Page 1, line 14.
Following: "~~$650~~"
Strike: "$1,000"
Insert: "$800"

2. Page 1, line 17.
Following: "~~$650~~"
Strike: "$1,000"
Insert: "$800"

3. Page 1, line 24.
Following: "~~$650~~"
Strike: "$1,000"
Insert: "$800"

4. Page 2, line 3.
Following: "~~$650~~"
Strike: "$1,000"

Insert: "$800"

5. Page 2, line 11.
Following: "~~$650~~"
Strike: "$1,000"
Insert: "$800"

6. Page 2, line 15.
Following: "~~$650~~"
Strike: "$1,000"
Insert: "$800"

7. Page 3, line 9.
Following: "~~$650~~"
Strike: "$1,000"
Insert: "$800"

8. Page 3, line 14.
Following: line 13
Strike: "$1,000"
Insert: "$800"

9. Page 5, line 2.
Following: "~~$720~~"
Strike: "$1,100"
Insert: "$940"

10. Page 5, line 4.
Following: "~~$1,445~~"
Strike: "$2,200"
Insert: "$1,880"

11. Page 5, line 8.
Following: "~~$650~~"
Strike: "$1,000"
Insert: "$800"

And as amended, do pass. Motion failed. (49-50)

That HB 11, as amended, do not pass. (50-49)

That HB 161, introduced bill, be amended as follows: (78-7)

1. Title, line 4.
Following: "TO"
Strike: "ALLOW A PERSONAL INCOME TAX DEDUCTION FOR 20% OF RENT PAID ON RESIDENTIAL DWELLINGS AS THE"
Insert: "REFUND A"

2. Title, page 7.
Following: "PAYMENTS;"
Strike: "AMENDING SECTION 15-30-121, MCA; AND PROVIDING AN EFFECTIVE DATE"
Insert: "PROVIDING A PROCEDURE FOR APPLICATION AND ADMINISTRATION"

3. Pages 1 and 2.
Strike: everything following the enacting clause
Insert: "Section 1. Definitions. As used in [this act], the following definitions apply:

(1) 'Department' means the department of revenue.

(2) 'Rental unit' means a self-contained living accommodation containing cooking and sleeping facilities occupied by a person other than the owner under a rental agreement.

Section 2. Refund for rent constituting property tax payments. (1) There is allowed a refund of $40 a year per rental unit for rent constituting property tax paid.

(2) The occupant of a rental unit may apply for a refund by:

(a) mailing an application to the department by April 15 of each year containing his name and the address of the rental unit he occupies; and

(b) enclosing a statement signed by his landlord that he has occupied the rental unit for the 9 months preceding the application.

(3) Only one person may claim a credit for a rental unit in any year. No person may claim a refund for more than one rental unit for any year.

(4) Upon receipt of a valid application for a refund, the department shall cause a warrant for $40 to be issued and mailed to the applicant by October 1 of the year in which the application is made."

And as amended, do pass. Motion failed. (45-54)

Fabrega requested that the ayes and nays be spread upon the Journal, sufficient seconds arose, and the motion to pass HB 161 failed by the following vote: (45-54)

Ayes: Anderson, Bennett, Bertelsen, Burnett, Curtiss, Donaldson, Ellerd, Ellis, Ellison, Eudaily, Fabrega, Fagg, Feda, Gould, Hayne, Hemstad, Huennekens, Hurwitz, Iverson, Jensen, Keedy, Keyser, Kropp, Kvaalen, Lory, Lund, Marks, Meyer, Moore, Nathe, Nordtvedt, Porter, Ramirez, Roth, Sales, Schultz, Seifert, Sivertsen, Spilker, Stobie, Thoft, Underdal, Vinger, Wood, Wyrick.
Total 45

Noes: Azzara, Baeth, Bardanouve, Bengtson, Brand, Conroy, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Frates, Gerke, Gesek, Gilligan, Hand, Harper, Harrington, Hirsch, Holmes, Johnson, Johnston, Kanduch, Kemmis, Kessler, Lien, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Scully, Shelden, Smith, South, Staigmiller, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Yardley.
Total 54

Paired: Hurwitz, Marks, Ramirez, Sivertsen, Ayes; Gesek, Kanduch, Scully, Yardley, Noes.

Excused: None.
Total 0

Absent or not voting: Ernst.
Total 1

That HB 161, as amended, do not pass. Motion passed by the following vote: (55-45)

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Brand, Conroy, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Frates, Gerke, Gesek, Gilligan, Hand, Harper, Harrington, Hirsch, Holmes, Johnson, Johnston, Kanduch,

Keedy, Kemmis, Kessler, Lien, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Scully, Shelden, Smith, South, Staigmiller, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Yardley.
Total 55

Noes: Anderson, Bennett, Bertelsen, Burnett, Curtiss, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hayne, Hemstad, Huennekens, Hurwitz, Iverson, Jensen, Keyser, Kropp, Kvaalen, Lory, Lund, Marks, Meyer, Moore, Nathe, Nordtvedt, Porter, Ramirez, Roth, Sales, Schultz, Seifert, Sivertsen, Spilker, Stobie, Thoft, Underdal, Vinger, Wood, Wyrick.
Total 45

Paired: Gesek, Kanduch, Scully, Yardley, Ayes; Hurwitz, Marks, Ramirez, Sivertsen, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 216 do pass. Motion failed. (16-76)

That HB 216 do not pass. (75-19)

That HB 221 do pass. (90-0)

That HB 303 do pass. (92-4)

Meyer moved that HB 844 be placed at the top of the board. Motion carried.

Dussault replaced Tropila in the Chair.

Tropila back in the Chair.

That HB 844, second reading copy, be amended as follows: (80-1)

1. Page 18, lines 10 through 12.
Strike: line 10 through "MONEY" on line 12
Insert: "The legislature may appropriate a portion of the license tax proceeds to support alcohol programs. The remainder"

And as amended, do pass. (86-5)

That HB 400, introduced bill, be amended as follows: (84-3)

1. Title, line 4.
Following: "TO"
Strike: "ESTABLISH"
Insert: "LIMIT"

2. Title.
Following: line 4
Strike: "PROPERTY TAX RATE"
Insert: "TAXABLE VALUE"

3. Title, line 5.
Following: "FOR"
Strike: "MOST"
FOLLOWING: "DWELLINGS"
Strike: "AT"
Insert: "TO"

4. Title, lines 6 through 11.
Following: "VALUE;"
Strike: remainder of line 6 through "MCA;" on line 11

5. Page 1, lines 14 and 15.
Following: "1."
Strike: "Class twenty-one property — description — taxable percentage."
Insert: "Limitation on tax for residential dwellings."

6. Page 1, lines 15 and 16.
Following: "(1)"
Strike: "Class twenty-one property includes all residential dwellings."
Insert: "As used in this section, the following definitions apply:"

7. Page 1, line 17.
Following: line 16
Strike: "(2)"
Renumber: subsequent subsections

8. Page 1, line 21.
Following: "current"
Insert: "year's"
Following: "value"
Insert: "of the residential dwelling"

9. Page 2, lines 4 through 10.
Following: "(3)"
Strike: remainder of line 4 through "at" on line 10
Insert: "Notwithstanding any other provision of law, the taxable value of a residential dwelling may not exceed"

10. Page 2, line 11 through line 7 on page 12.
Following: "value"
Strike: remainder of line 11 through "repealed" on line 7, page 12
Renumber: subsequent section

And as amended, do pass. (84-3)

That HB 512, introduced bill, be amended as follows: (82-2)

1. Page 2, line 16.
Following: "the"
Insert: "total general fund appropriation for the preceding biennium plus the"

2. Page 3, line 12.
Following: "."
Insert: "The distribution provided for in this section is in addition to any amounts appropriated by the legislature for homestead tax relief."

And as amended, do pass. (56-42)

That HB 781, third reading copy, be amended as follows: (84-4)

1. Page 2, line 8.
Following: "~~1979~~"
Strike: "1976"
Insert: "1975"

And as amended, do pass. Motion failed. (38-51)

That HB 781, as amended, do not pass. (48-41)

That the Committee rise and report. (Tropila, Chairman). Tropila moved that the committee report be deemed read. Motion carried. Report adopted. (78-12)

REPORTS OF STANDING COMMITTEES

Adverse Committee Reports

Dassinger, Teague, Harper, Rosenthal, Frates, Dozier, Brand, Manning, Metcalf, Holmes objected that HB 321 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

MESSAGES FROM THE GOVERNOR

The Honorable Harold Gerke 3/27/79
Speaker
House of Representatives
State Capitol

Dear Mr. Speaker:

This is to inform you that I have signed the following measures this date:

House Bill Nos. 19, 67, 107, 113, 175, 187, 217, 233, 270, 332, 485 and 786.

Sincerely,

Thomas L. Judge
Governor

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 202 was concurred in by the following vote:

Ayes: Azzara, Baeth, Bengtson, Bennett, Bertelsen, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Iverson, Jensen, Johnson, Johnston, Kemmis, Kessler, Lien, Lory, McBride, Magone, Menahan, Metcalf, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Seifert, Shelden, Sivertsen, South, Spilker, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 65

Noes: Anderson, Bardanouve, Brand, Burnett, Conroy, Donaldson, Ellerd, Ellison, Feda, Hayne, Keyser, Kropp, Kvaalen, Lund, Manning, Manuel, Meyer, Moore, Nathe, Oberg, Roth, Sales, Schultz, Smith, Staigmiller, Stobie, Wyrick.
Total 27

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Huennekens, Keedy, Marks, Scully, Vinger.
Total 5

Senate Bill No. 221 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Burnett, Curtiss.
Total 2

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Cooney, Scully.
Total 2

House Bill No. 213 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: None.
Total 0

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Hayne, Huennekens, Iverson, Scully, Thoft.
Total 5

House Bill No. 221 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.

Total 96

Noes: None.
Total 0

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Scully.
Total 1

House Bill No. 303 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Jensen, Johnson, Johnston, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 92

Noes: Kemmis, Yardley.
Total 2

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Cooney, Iverson, Scully.
Total 3

House Bill No. 844 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Ellison, Iverson, Lund, Magone, Nathe, Stobie.
Total 6

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Scully.
Total 1

House Bill No. 400 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Kvaalen, Underdal.
Total 2

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Ellerd, Scully.
Total 2

House Bill No. 512 was passed by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Brand, Conroy, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Lien, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Scully, Shelden, South, Staigmiller, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 57

Noes: Anderson, Bennett, Bertelsen, Burnett, Curtiss, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hayne, Jensen, Keyser, Kropp, Kvaalen, Lory, Lund, Marks, Meyer, Moore, Nathe, Nordtvedt, Porter, Ramirez, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, Spilker, Stobie, Thoft, Underdal, Vinger, Wood, Wyrick.
Total 42

Paired: Gesek, Kanduch, Scully, Ayes; Keyser, Ramirez, Sivertsen, Noes.

Excused: Hurwitz.
Total 1

Absent or not voting: None.
Total 0

MOTIONS

Tropila moved that HB 858 be taken from Second Reading and referred to the Committee on Taxation. Motion carried.

Dussault moved that SB 232 be placed on Second Reading this day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Tropila in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 841, introduced bill, be amended as follows: (66-7)

1. Title, line 6.
Following: "GEOTECHNICAL"
Strike: ","
Insert: "AND"
Following: "ECONOMIC"
Strike: ", AND IMPACT"

2. Page 1, line 11.
Following: "the"
Strike: "general fund"
Insert: "renewable resource development account"

3. Page 1, line 12.
Following: "sum of"
Strike: "$690,000"
Insert: "$265,000"

4. Page 1, line 13.
Following: "geotechnical"
Strike: ","
Insert: "and"

5. Page 1, line 14.
Following: "economic"
Strike: ", and environmental impact"

6. Page 1, line 15.
Following: "and"
Insert: "economic studies concerning the"

And as amended, do pass. (50-40)

That HB 873, introduced bill, be amended as follows: (83-0)

1. Page 2, lines 1 through 7.
Following: "(2)"
Strike: remainder of lines 1 through 7 in their entirety
Insert: "By October 1 of each year, the division shall pay to the general fund a premium tax at a rate of 2 ¾ % of the state compensation insurance fund's earned premium for the preceding fiscal year. The earned premium must be reduced by any dividends paid or credited to state fund insureds during the preceding fiscal year."

And as amended, do pass. Motion failed. (38-58)

That HB 873, introduced bill, be further amended as follows: (85-2)

1. Page 1.
Following: line 19
Insert: "(3) The tax imposed by subsection (1) does not apply to fees on dues paid by an individual who is 62 years or older."
Renumber: subsequent subsection

That HB 873, introduced bill, be further amended as follows: (84-0)

1. Page 3.

Following: line 6
Insert: "SECTION 4. THERE IS A NEW MCA SECTION THAT READS:

Annual statement. Every health service corporation shall file an annual statement on form No. 13 N.A.I.C. with the commissioner of insurance."
Renumber: subsequent sections

That HB 873, introduced bill, be further amended as follows: (80-16)

1. Title, lines 1 and 2.
Following: "TAX"
Strike: "FEES OR DUES PAID TO A HEALTH SERVICE CORPORATION AND"

2. Title, lines 8 and 9.
Following: "TAXED"
Strike: "; AMENDING SECTION 33-30-204, MCA; AND REPEALING SECTION 33-30-203, MCA"

3. Page 1, lines 12 through 22.
Following: line 11
Strike: lines 12 through 22 in their entirety
Renumber: subsequent section

4. Page 2, line 8 through line 8 on page 3.
Following: line 7 on page 2
Strike: line 8 on page 2 through line 8 on page 3 in their entirety
Renumber: subsequent section

5. Page 3, lines 9 through 11.
Following: "Codification."
Strike: "(1)"
Following: "Section 1"
Strike: remainder of line 9 through "2" on line 11

And as amended, do pass. (57-38)

That HB 890 do pass. (56-34)

Teague moved that HB 892 be placed below HB 906 on the Second Reading board this day. Motion carried.

That HB 906, introduced bill, be amended as follows: (56-42)

1. Page 1, line 11.
Following: "Revenue"
Strike: "$12"
Insert: "$10.075"

2. Page 1, line 12.
Following: "1980"
Insert: "and $10.075 million for fiscal year 1981"

And as amended, do pass. (65-34)

That HB 892 do pass. Motion failed. (38-53)

That HB 892 do not pass. (53-33)

That HB 479 do not pass. (48-46)

That the Committee rise and report and beg leave to sit again. (Tropila, Chairman). Tropila moved that the committee report be deemed read. Motion carried. Report adopted. (78-13)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 841 was passed by the following vote:

Ayes: Baeth, Bengtson, Burnett, Conroy, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Ernst, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Johnston, Keedy, Kemmis, Lien, Lund, Magone, Manning, Manuel, Menahan, Nathe, Nordtvedt, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, K. Robbins, Roth, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Tropila, Uhde, Underdal, Vincent, Vinger, Wood, Yardley, Mr. Speaker.
Total 54

Noes: Anderson, Azzara, Bardanouve, Bennett, Bertelsen, Brand, Curtiss, Donaldson, Ellerd, Ellison, Fabrega, Harper, Hayne, Iverson, Jensen, Johnson, Kessler, Keyser, Kropp, Kvaalen, Lory, McBride, Meyer, Moore, Porter, Ramirez, Rosenthal, Sales, Schultz, Sivertsen, Stobie, Thoft, Waldron, Williams.
Total 34

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Ellis, Eudaily, Marks, Metcalf, Oberg, O'Connell, Scully, Teague, Wyrick.
Total 9

House Bill No. 873 was passed by the following vote:

Ayes: Azzara, Bardanouve, Bertelsen, Brand, Burnett, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellison, Ernst, Fabrega, Fagg, Frates, Gilligan, Hirsch, Holmes, Huennekens, Johnson, Keedy, Kemmis, Kessler, Kvaalen, Lien, Lory, Lund, Meyer, Moore, Nathe, Nordtvedt, Oberg, Porter, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Sivertsen, South, Spilker, Teague, Tropila, Waldron, Wood, Yardley.
Total 48

Noes: Anderson, Baeth, Bengtson, Bennett, Conroy, Cooney, Ellerd, Ellis, Eudaily, Feda, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Iverson, Jensen, Johnston, Keyser, Kropp, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Pavlovich, Pistoria, Quilici, Roth, Schultz, Seifert, Shelden, Smith, Staigmiller, Stobie, Thoft, Uhde, Underdal, Vincent, Vinger, Williams, Wyrick, Mr. Speaker.
Total 46

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: O'Connell, K. Robbins, Scully.
Total 3

House Bill No. 890 was passed by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Ernst, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Iverson, Johnson, Johnston, Kessler, Keyser, Lien, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Oberg, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K.

Robbins, Schultz, Seifert, Shelden, Sivertsen, South, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 65

Noes: Anderson, Bennett, Donaldson, Ellerd, Ellison, Eudaily, Hayne, Hemstad, Jensen, Keedy, Kemmis, Kropp, Kvaalen, Lory, Marks, Moore, Nathe, Nordtvedt, Reichert, Rosenthal, Roth, Sales, Smith, Spilker, Staigmiller, Stobie, Thoft, Vinger, Wyrick.
Total 29

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Bertelsen, O'Connell, Scully.
Total 3

House Bill No. 906 was passed by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Eudaily, Fagg, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Johnson, Johnston, Kanduch, Keedy, Kessler, Lien, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Scully, Shelden, South, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Yardley, Mr. Speaker.
Total 67

Noes: Anderson, Bennett, Bertelsen, Burnett, Donaldson, Ellerd, Ellison, Ernst, Fabrega, Feda, Gould, Hayne, Iverson, Jensen, Kemmis, Keyser, Kropp, Kvaalen, Lory, Marks, Meyer, Moore, Nordtvedt, Roth, Sales, Seifert, Sivertsen, Smith, Spilker, Thoft, Wood, Wyrick.
Total 32

Paired: Gesek, Kanduch, O'Connell, Scully, Ayes; Ellerd, Moore, Nordtvedt, Wood, Noes.

Excused: Hurwitz.
Total 1

Absent or not voting: None.
Total 0

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Tropila in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 633, second reading copy, be amended as follows: (54-36)

1. Title, lines 9 and 10.
Following: "~~COUNTY~~"
Strike: "RESOLUTION OF THE COUNTY GOVERNING BODY"

Insert: "AN AFFIRMATIVE VOTE OF THE ELECTORS OF THE COUNTY"

2. Page 1, line 15.
Following: "~~ordinance~~"
Strike: "RESOLUTION"
Insert: "ordinance"

3. Page 1, line 18.
Following: "GASOLINE"
Insert: "if approved by a majority of the qualified electors voting on the question as provided in [section 2]"

4. Page 2, lines 10 through 24.
Strike: lines 10 through 24 in their entirety
Insert: "Election required to impose gasoline tax. (1) A county governing body may impose or repeal the tax authorized by [section 1] only after an affirmative vote of the majority of the qualified electors of the county voting on the question.

(2) The question may be presented to the electors of the county at a general election or a special election called for that purpose by the county governing body."

And as amended, do pass. (63-30)

That HB 848 do pass. (51-39)

That the Committee rise and report. (Tropila, Chairman). Report adopted. (80-7)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 633 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fagg, Feda, Frates, Gilligan, Harper, Harrington, Hirsch, Holmes, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Lien, Lory, Lund, McBride, Manning, Marks, Metcalf, Nathe, Nordtvedt, Oberg, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Shelden, Sivertsen, South, Spilker, Teague, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 67

Noes: Bardanouve, Brand, Conroy, Curtiss, Ellison, Fabrega, Gould, Hand, Hayne, Hemstad, Iverson, Kropp, Kvaalen, Magone, Manuel, Menahan, Meyer, Moore, Pistoria, Roth, Seifert, Smith, Staigmiller, Stobie, Thoft, Underdal, Wyrick.
Total 27

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Huennekens, O'Connell, Scully.
Total 3

House Bill No. 848 was passed by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Day, Dozier, Dussault, Ellerd, Ellis, Ellison,

Eudaily, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Holmes, Johnston, Keedy, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Nordtvedt, Oberg, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, K. Robbins, Sales, Seifert, Shelden, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Yardley, Mr. Speaker.
Total 59

Noes: Azzara, Bardanouve, Brand, Dassinger, Donaldson, Ernst, Fabrega, Hayne, Hirsch, Iverson, Johnson, Kemmis, Kessler, Kropp, Kvaalen, Lund, Moore, Nathe, Porter, Ramirez, Rosenthal, Roth, Schultz, Sivertsen, Smith, South, Spilker, Uhde, Waldron, Williams, Wood, Wyrick.
Total 32

Excused: Gesek, Hurwitz, Kanduch.
Total 3

Absent or not voting: Huennekens, Jensen, Keyser, Meyer, O'Connell, Scully.
Total 6

Dussault moved that the House adjourn until 2:00 p.m., March 28, 1979.

Motion carried.

House adjourned at 12 midnight.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

SEVENTY-FIRST LEGISLATIVE DAY

Helena, Montana
March 28, 1979

House Chambers
Capitol Building

House convened at 2:00 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Baeth, Gesek, Huennekens, Hurwitz, Scully, excused; Fagg, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Sixty-fifth Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 3/28/79

Correctly enrolled - HB 380, HB 481, HB 696, HB 755, HB 762, HB 778, HB 827, HB 840, HB 874, HJR 40, HJR 45.

Will be signed by the Speaker on adjournment, 3/28/79 - HB 380, HB 481, HB 696, HB 755, HB 762, HB 778, HB 827, HB 840, HB 874, HJR 40, HJR 45, SB 28, SB 224, SB 280, SB 380, SB 426, SB 461, SB 500, SB 503.

Signed by the Speaker at 12:30 p.m., 3/27/79 - HB 15, HB 23, HB 179, HB 473, HB 516, HB 531, HB 553, HB 578, HB 599, HB 686, HB 687, HB 693, HB 714, HB 722, HB 741, HB 746, HJR 13, HJR 34.

Signed by the Speaker at 5:00 p.m., 3/27/79 - HB 820, HJR 14, SB 34, SB 97, SB 113, SB 260, SB 355, SB 456.

Delivered to the Governor for his approval at 11:10 a.m, 3/28/79 - HB 15, HB 23, HB 179, HB 208, HB 219, HB 316, HB 381, HB 473, HB 516, HB 531, HB 553, HB 578, HB 599, HB 661, HB 686, HB 687, HB 693, HB 698, HB 707, HB 714, HB 722, HB 741, HB 746, HB 820.

Adverse Committee Reports

On motion by Dassinger, the Adverse Committee Report on HB 256 was adopted by the following vote: (67-23)

Ayes: Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gilligan, Hand, Harper, Harrington, Hirsch, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lund, McBride, Magone, Manning, Marks, Menahan, Metcalf, Moore, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Thoft, Underdal, Waldron, Williams, Wood, Mr. Speaker.
Total 67

Noes: Anderson, Burnett, Cooney, Ellis, Gould, Hayne, Hemstad, Keedy, Kropp, Lory, Meyer, Nathe, Nordtvedt, Ramirez, Schultz, Stobie, Teague, Tropila, Uhde, Vincent, Vinger, Wyrick, Yardley.
Total 23

Excused: Baeth, Gesek, Huennekens, Hurwitz, Scully.
Total 5

Absent or not voting: Brand, Fagg, Holmes, Manuel, South.
Total 5

On motion by Dassinger, the Adverse Committee Report on HB 501 was adopted by the following vote: (61-31)

Ayes: Azzara, Bardanouve, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Dussault, Ellerd, Ernst, Eudaily, Fabrega, Feda, Frates, Gilligan, Hand, Harper, Harrington, Hirsch, Jensen, Johnson, Kanduch, Kemmis, Kropp, Lien, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Reichert, H. Robbins, K. Robbins, Roth, Sales, Shelden, Sivertsen, Spilker, Staigmiller, Thoft, Uhde, Underdal, Vincent, Vinger, Wood, Wyrick, Mr. Speaker.
Total 61

Noes: Anderson, Bengtson, Burnett, Dassinger, Ellis, Ellison, Gould, Hayne, Hemstad, Holmes, Iverson, Johnston, Keedy, Kessler, Keyser, Kvaalen, Lory, Marks, Meyer, Quilici, Ramirez, Rosenthal, Schultz, Seifert, Smith, Stobie, Teague, Tropila, Waldron, Williams, Yardley.
Total 31

Excused: Baeth, Gesek, Huennekens, Hurwitz, Scully.
Total 5

Absent or not voting: Brand, Fagg, South.
Total 3

On motion by Bardanouve, the Adverse Committee Report on HB 922 was adopted by the following vote: (70-21)

Ayes: Azzara, Bardanouve, Bengtson, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Iverson, Jensen, Kanduch, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Roth, Sales, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Thoft, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Mr. Speaker.
Total 70

Noes: Anderson, Bennett, Bertelsen, Burnett, Cooney, Harrington, Holmes, Johnson, Johnston, Keedy, Kropp, Menahan, Pavlovich, Rosenthal, Schultz, Seifert, Teague, Tropila, Waldron, Wyrick, Yardley.
Total 21

Excused: Baeth, Gesek, Huennekens, Hurwitz, Scully.
Total 5

Absent or not voting: Brand, Fagg, H. Robbins, South.
Total 4

MESSAGES FROM THE GOVERNOR

The Honorable William Mathers 3/27/79
President of the Senate
State Capitol
Helena, Montana 59601

The Honorable Harold Gerke

Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear President Mathers and Speaker Gerke:

I, Thomas L. Judge, in accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, do hereby veto Senate Bill 321, "AN ACT CLARIFYING THE RELATIONSHIP BETWEEN THE BOARD OF PERSONNEL APPEALS AND THE DEPARTMENT OF LABOR AND INDUSTRY; AMENDING SECTION 2-15-1705, MCA".

This bill proposes to remove the staff now utilized in the Department for classification appeals, mediation, and unfair labor practice determinations from the Department, and transfer them to the Board. It is my belief that this transfer is inappropriate.

The Executive Reorganization Act, first adopted as a constitutional amendment by 70 per cent of the votes of Montana, mandated no more than twenty separate departments and direct accountability of staff to administration. This bill violates that basic concept by making the Board of Personnel Appeals and its staff an independent entity.

Earlier this session I supported Senate Bill 110 which would have placed the staff of the Human Rights Commission under the Department of Labor and Industry. It was my belief then, and it remains by belief now, that no entity of state government should be autonomous from the rest.

For these reasons, I veto Senate Bill 321.

Sincerely,

Thomas L. Judge
Governor

MESSAGES FROM THE OTHER HOUSE

The Senate on 3/27/79, acceded to the request for the return of Senate Bill No. 232, introduced by S. Brown, and respectfully requested that the bill be placed on Second Reading for further consideration in the House.

House Bill not concurred in and returned to the House: 3/27/79

House Bill No. 46, introduced by Lory

House Bill No. 174, introduced by Vincent, requiring adoption by an affirmative roll call vote of two-thirds of all members of the Legislature, failed to pass by the Senate and returned to the House with the following vote: 3/27/79

SENATE	HOUSE OF REPRESENTATIVES
YEAS - 21	YEAS - 60
NAYS - 28	NAYS - 38

House Bill No. 174 was amended in the Senate State Administration Committee. It was, also, amended in the Senate Committee of the Whole. The Committee of the Whole amendments stripped the Standing Committee amendments. Although both amendments are indicated on the bill history, the Senate is actually transmitting the bill back to the House in the original form in which it was transmitted to the Senate.

House Bill No. 788, introduced by Iverson, Jergeson, Scully, Kolstad, et al, requiring adoption by an affirmative roll call vote of two-thirds of all

members of the Legislature, passed by the Senate as amended and returned to the House for concurrence in Senate Amendments with the following vote: 3/27/79

SENATE	HOUSE OF REPRESENTATIVES
YEAS - 37	YEAS - 88
NAYS - 11	NAYS - 9

House Bill No. 787, introduced by Brand, Oberg, E. Smith, et al, requiring adoption by an affirmative roll call vote of two-thirds of all members of the Legislature, passed by the Senate as amended and returned to the House for concurrence in Senate Amendments with the following vote: 3/27/79

SENATE	HOUSE OF REPRESENTATIVES
YEAS - 37	YEAS - 81
NAYS - 11	NAYS - 17

House Bills concurred in as amended and returned to the House for concurrence in Senate Amendments: 3/27/79

House Bill No. 494, introduced by Nathe

House Bill No. 733, introduced by Day, Bengtson

House Bill No. 877, introduced by Keedy, Seifert, Conroy, et al

House Bill No. 900, introduced by Bardanouve, Kvaalen, Vincent, et al

House Bills and House Joint Resolution concurred in as amended and returned to the House for concurrence in Senate Amendments: 3/27/79

House Bill No. 197, introduced by Gerke

House Bill No. 244, introduced by Ernst

House Bill No. 365, introduced by Kessler, Fagg, Azzara, Dozier, Kemmis

House Bill No. 382, introduced by Menahan

House Bill No. 411, introduced by Lund

House Bill No. 437, introduced by South

House Bill No. 528, introduced by South, Bardanouve

House Bill No. 634, introduced by Eudaily, Lory, Daily, Harrington, McCallum, Oberg

House Bill No. 704, introduced by Fagg, Kemmis, Reichert

House Bill No. 708, introduced by Pistoria, Gilligan, H. Robbins, Tropila, et al

House Bill No. 716, introduced by Blaylock, Kemmis, Bardanouve, Gerke, Dussault, et al

House Bill No. 766, introduced by Porter, Ramirez

House Bill No. 768, introduced by Kropp, Brand, Magone, Johnston, Kanduch, et al

House Bill No. 800, introduced by Ellerd

House Bill No. 803, introduced by Anderson, Gesek, Pavlovich, Feda, et al

House Bill No. 813, introduced by House Judiciary Committee (Scully, Chairman)

House Bill No. 851, introduced by Spilker, Waldron, Reichert, et al

House Bill No. 859, introduced by Brand

House Bill No. 860, introduced by Judiciary Committee (Scully, Chairman)

House Bill No. 870, introduced by Keedy, Conroy, Keyser, et al

House Bill No. 879, introduced by Judiciary Committee (Scully, Chairman)

House Bill No. 883, introduced by Bardanouve, Scully

House Bill No. 887, introduced by Scully

House Joint Resolution No. 53, introduced by House Agriculture Committee (Day, Chairman)

House Bills and House Joint Resolutions concurred in and returned to the House: 3/27/79

House Bill No. 82, introduced by Gerke, Dussault

House Bill No. 176, introduced by Gerke

House Bill No. 260, introduced by South

House Bill No. 366, introduced by Kessler, Fagg, Azzara, Dozier, Kemmis

House Bill No. 556, introduced by Day, Wood, Kvaalen

House Bill No. 597, introduced by Gerke, Ellerd, Ellis, Tropila

House Bill No. 886, introduced by State Administration Committee (Brand, Chairman)

House Joint Resolution No. 54, introduced by Gould, Ramirez, Sivertsen, Kessler

House Joint Resolution No. 57, introduced by H. Robbins, Galt, Blaylock, Reichert, Moore, et al

House Amendments to Senate Bill concurred in: 3/27/79

House Amendments to Senate Bill No. 273, introduced by McCallum

Senate Bills passed as amended and transmitted to the House for concurrence: 3/27/79

Senate Bill No. 142, introduced by Fabrega, Roskie, et al

Senate Bill No. 300, introduced by Mathers, et al

Senate Bill No. 312, introduced by Norman

Senate Bill No. 522, introduced by Turnage

Senate Joint Resolution passed and transmitted to the House for concurrence: 3/27/79

Senate Joint Resolution No. 35, introduced by Labor and Employment Relations Committee (Mehrens, Chairman)

Senate Bills passed as amended and transmitted to the House for concurrence: 3/27/79

Senate Bill No. 384, introduced by Boylan, Hazelbaker, Graham, Conroy, C. Smith

Senate Bill No. 523, introduced by Senate Natural Resources Committee (Roskie, Chairman)

The Senate on 3/26/79, failed to concur in House Amendments to Senate Bill No. 263 and appointed a Conference Committee and requested the House of Representatives to appoint a like committee to confer on House Amendments to Senate Bill No. 263.

The President appointed the following members:

Senator Rasmussen, Chairman
Senator Thomas
Senator O'Hara

Conference Committee Reports adopted: 3/27/79

Conference Committee Report on Senate Bill No. 390

Conference Committee Report on Senate Bill No. 489

Conference Committee Report on Senate Bill No. 458

Free Conference Committee Report on House Bill No. 606

Conference Committee Report on House Joint Resolution No. 21

Free Conference Committee Report on House Bill No. 283

MOTIONS

Dussault moved that SB 368, on Second Reading this day, be passed until the Seventy-fifth Legislative Day. Motion carried.

Dussault moved that SB 44 be taken from Second Reading and referred to the Committee on Local Government. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on House Amendments to SB 263. Motion carried.

Tropila moved that the Free Conference Committee Report on SB 489 and the Conference Committee Reports on Senate Amendments to HB 12 and Senate Amendments to HB 836, presently on Second Reading, be passed for the day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bills were introduced, read first time and referred to committees:

SB 142, introduced by Fabrega, Roskie, Ramirez, Hemstad, Keyser, Nordtvedt, Moore, Marks, Hurwitz, Ellison, Thoft, Turnage, Sivertsen, Iverson, Stobie, Kolstad, Spilker, Lund, Nathe, Porter, Meyer, Ellis, Schultz, Ernst, Fagg, Lowe, Hager, Goodover, Rasmussen, Johnston, Curtiss, Jensen, Vinger, Seifert, Burnett, Wyrick, Hayne, Kropp,

Underdal, Galt, O'Hara, Aklestad, Nelson, Olson, E. Smith, Lensink, Story, Harrington, Huennekens. Referred to Committee on Taxation.

SB 300, introduced by Mathers, Severson, Roskie. Referred to Committee on Taxation.

SB 312, introduced by Norman. Referred to Committee on Taxation.

SB 384, introduced by Boylan, Hazelbaker, Graham, Conroy, C. Smith. Referred to Committee on Taxation.

SB 522, introduced by Turnage, (By Request of the Senate Taxation Committee). Referred to Committee on Taxation.

SB 523, introduced by Senate Natural Resources Committee, (By Request of the Senate Natural Resources Committee). Referred to Committee on Taxation.

SJR 35, (introduced by Labor and Employment Relations Committee), Mehrens, Chairman. Referred to Committee on Labor and Employment Relations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Keyser in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Dassinger moved that HB 321 be placed below SJR 31 on the Second Reading board this day. Motion carried.

That SB 232 be concurred in. (76-15)

That HJR 59 do pass. (86-3)

That SB 200, third reading copy, be amended as follows: (81-4)

1. Page 1, line 7.
Following: "BY"
Strike: "CATASTROPHE"
Insert: "NATURAL DISASTER"

2. Page 1, line 15.
Following: "by"
Strike: "catastrophe"
Insert: "natural disaster"

3. Page 1, line 20.
Following: "by"
Strike: "catastrophe"
Insert: "natural disaster"

4. Page 2, line 6.
Following: "section,"
Strike: "catastrophe"
Insert: "natural disaster"

And as amended, be concurred in. (82-3)

That SJR 31 be concurred in. Motion failed. (28-62)

That SJR 31 be not concurred in. (60-30)

That HB 321 do pass. Motion failed. (32-48)

That HB 321 do not pass. (48-35)

That CC on SA to HB 100 be adopted. (80-3)

That Free CC on HB 283 be adopted. (76-0)

That Free CC on HB 603 be adopted. (77-0)

That Free CC on HB 606 be adopted. (80-0)

That CC on SA to HJR 21 be adopted. (74-7)

That CC on HA to SB 390 be adopted. (84-0)

That CC on HA to SB 458 be adopted. (79-0)

That the Governor's Amendment to SB 78 be adopted. Motion failed. (26-61)

That the Governor's Amendment to SB 78 be not adopted. (72-18)

That SA to HB 14 be concurred in. (81-1)

That SA to HB 24 be concurred in. (80-0)

That SA to HB 57 be concurred in. (78-0)

That SA to HB 77 be concurred in. (77-0)

That SA to HB 84 be concurred in. Motion failed. (9-75)

Ellis moved that SA to HB 112 be placed below SA to HB 237. Motion carried.

That SA to HB 124 be concurred in. (71-4)

That SA to HB 190 be not concurred in. (70-10)

That SA to HB 196 be concurred in. (75-3)

That SA to HB 237 be not concurred in. (75-1)

That SA to HB 112 be concurred in. (72-0)

That SA to HB 248 be concurred in. Motion failed. (25-62)

That SA to HB 248 be not concurred in. (70-18)

That SA to HB 259 be concurred in. (83-0)

That SA to HB 295 be concurred in. (76-0)

That SA to HB 298 be concurred in. (78-0)

That SA to HB 302 be concurred in. (67-15)

That SA to HB 329 be concurred in. (76-0)

That SA to HB 350 be concurred in. (74-2)

That SA to HB 363 be concurred in. (79-0)

That SA to HB 371 be concurred in. (84-1)

That SA to HB 416 be not concurred in. (81-4)

That the Committee rise and report. (Keyser, Chairman). Keyser moved that the committee report be deemed read. Motion carried. Report adopted. (85-1)

REPORTS OF STANDING COMMITTEES

Do Pass

AGRICULTURE, LIVESTOCK AND IRRIGATION (Day, Chairman): 3/28/79

HJR 61, do pass. Report adopted.
SJR 32, be concurred in. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable Harold Gerke 3/28/79
Speaker
House of Representatives
State Capitol

Dear Mr. Speaker:

This is to inform you that I have signed the following measures this date:

House Bill Nos. 13, 17, 20, 118, 223, 241, 377, 439, 458, 513, 514, 782 and 881.

Sincerely,

Thomas L. Judge
Governor

UNFINISHED BUSINESS

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on House Amendments to Senate Bill No. 263:

Oberg, Chairman
Reichert
Hurwitz

MOTIONS

Dussault moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on the following: Senate Amendments to HB 84, Senate Amendments to HB 190. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on the following bills: HB 237, HB 248, HB 416. Motion carried.

Dussault moved that the House adjourn until 2:00 p.m., March 29, 1979.

Motion carried.

House adjourned at 4:45 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

SEVENTY-SECOND LEGISLATIVE DAY

Helena, Montana — House Chambers
March 29, 1979 — Capitol Building

House convened at 2:00 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Baeth, Gesek, Meyer, excused; Kvaalen, absent. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 3/29/79

Correctly printed - HJR 61.
Considered correctly engrossed - HJR 59.

Will be signed by the Speaker on adjournment, 3/29/79 - SB 32, SB 49, SB 54, SB 132, SB 205, SB 208, SB 225, SB 243, SB 256, SB 273, SB 346, SB 377, SB 395, SB 397, SB 404, SB 409, SB 422, SB 491, SB 516, SJR 14, SJR 27.

Signed by the Speaker on adjournment, 3/28/79 - HB 380, HB 481, HB 696, HB 755, HB 762, HB 778, HB 827, HB 840, HB 874, HJR 40, HJR 45, SB 28, SB 224, SB 280, SB 380, SB 426, SB 461, SB 500, SB 503, SB 511.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Metcalf, Chairman): 3/29/79

Recommend that the following be employed by the House of Representatives for the 46th Session at the beginning of business March 27, 1979:

Virginia Petersen.....Page
Maureen Driscoll.....Page
Florence Castro.....Page
Sheila Kessler.....Page
Edward Heil.....Page
Jackie Lang.....Page

At the beginning of business March 28, 1979, the following also be employed:

Tom Flynn.....Page
Steve Rorick.....Page

At the close of business, March 24 and 27, the following also be terminated:

Dale Schlamp.....Page
Robin Melle.....Page
Jean Wallace.....Page
Jessie Buchanan.....Page
Diana Miller.....Page
Deanna St. Onge.....Page
Bill Mercer.....Page
Robert Daily.....Page

Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable Harold Gerke 3/29/79

Speaker
House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that I have signed the following measures this date:

House Bill Nos. 21, 32, 235, 349, 361, 399, 421, 443, 549, 558, 619, 642, 645, 648, 705 and 805.

Sincerely,

Thomas L. Judge
Governor

The Honorable William Mathers 3/28/79
President of the Senate
State Capitol
Helena, Montana 59601

The Honorable Harold Gerke
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear President Mathers and Speaker Gerke:

I, Thomas L. Judge, in accordance with the power vested in me as Governor, by the Constitution and the laws of the State of Montana do hereby return Senate Bill 435, "AN ACT TO INCLUDE AN AUXILIARY MEMBER ON THE BOARD OF PARDONS; AMENDING SECTION 2-15-2302, MCA.", without my signature and recommend the attached amendments.

I agree with the Legislature as to the need for this legislation. In order to implement it immediately and provide some relief for the existing board members, I am requesting that an immediate effective date be added.

I urge your concurrence in these amendments.

Sincerely,

Thomas L. Judge
Governor

PROPOSED AMENDMENTS TO SENATE BILL NO. 435

1. Amend the title on line 5 after the word "PARDONS" by adding the following language: "AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Add a new section after line 9, page 2, as follows: "Section 2. Effective date. This act is effective upon passage and approval."

The Honorable William Mathers 3/28/79
President of the Senate
State Capitol
Helena, Montana 59601

The Honorable Harold Gerke

Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear President Mathers and Speaker Gerke:

I, Thomas L. Judge, in accordance with the power vested in me as Governor, by the Constitution and the laws of the State of Montana do hereby return House Bill 457, "AN ACT REQUIRING THE DEPARTMENT OF REVENUE TO INCLUDE IN ITS REPORT OF PROPERTY TAX DATA FOR THE STATE A BREAKDOWN OF SUCH DATA BY COUNTY, CITY, AND SCHOOL DISTRICT; AMENDING SECTION 15-1-205, MCA.", without my signature and recommend the attached amendments.

House Bill 457, as introduced, required the Department of Revenue to provide a breakdown of all taxable property and its value by state, county and city twenty (20) days prior to the beginning of the legislative session. This information would be useful to the Legislature in determining the impact of legislation which effects the tax rate on various types of property in cities and counties. The cost of providing this additional information for cities is $80,000.00 per year. The increased cost to the Department of Revenue can be justified because of the usefulness to the Legislature of the information provided.

However, House Bill No. 457 was amended during the legislative process to also require that a breakdown of taxable property be provided by school district. This increases the estimated cost of House Bill 457 from $80,000.00 per year to more than $300,000.00 per year, as it expands the additional detailed information required from 125 cities to approximately 1,400 school districts. The additional expense required because of this amendment is not reflected in the fiscal note. The information provided under this provision will be of little value to school districts or the Legislature, while the cost of providing it will be extremely high. For this reason, I am offering the attached amendments to delete the requirement that the Department of Revenue include in its report of property tax data a breakdown of data by school district.

I urge your concurrence in these amendments.

Sincerely,

Thomas L. Judge
Governor

PROPOSED AMENDMENTS TO HOUSE BILL NO. 457

1. Title, line 6.
Following: "COUNTY"
Strike: ","
Insert: "AND"

2. Title, line 7.
Following: "CITY"
Strike: ", AND SCHOOL DISTRICT"

3. Page 1, lines 16 and 17.
Following: "counties"
Insert: "and"
Following: "cities"
Strike: ", AND SCHOOL DISTRICTS"

MOTIONS

Magone moved that SJR 31 be recalled from the Senate for further consideration and that it be placed on Second Reading. Motion failed. (32-50)

Metcalf moved that the Conference Committee on House Amendments to SB 497 be dissolved. Motion carried.

Metcalf moved that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on SB 497. Motion carried.

Roth moved that the rules be suspended to allow Yardley's name to be added as a co-sponsor on HJR 43 and that the sponsors of HJR 41 also be added to the list of sponsors of HJR 43. Motion carried. (85-2)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House joint resolution was introduced, read first time and referred to committee:

HJR 64, introduced by Harper, Porter, Kemmis, Hirsch, Gould, Donaldson, Nordtvedt, Uhde, Hayne. Referred to House Select Committee on Employee Compensation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Day in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SJR 32 be concurred in. (80-4)

That CC on HA to SB 489 be adopted. (76-1)

That GA to HB 334 be adopted. (82-0)

That GA to HB 489 be adopted. (81-0)

That SA to HB 12 be concurred in. (80-2)

That SA to HB 836 be concurred in. (76-0)

That SA to HB 420 be concurred in. (77-2)

That SA to HB 424 be concurred in. (80-0)

That SA to HB 436 be concurred in. (65-14)

That SA to HB 438 be concurred in. (85-1)

That SA to HB 442 be not concurred in. (67-16)

That SA to HB 452 be concurred in. (70-24)

That SA to HB 453 be concurred in. (88-2)

That SA to HB 454 be concurred in. (78-2)

That SA to HB 456 be concurred in. (72-9)

That SA to HB 460 be concurred in. (77-0)

That SA to HB 475 be not concurred in. (79-2)

That SA to HB 482 be not concurred in. (81-0)

South replaced Day in the Chair.

That SA to HB 487 be concurred in. (81-1)

That SA to HB 488 be concurred in. (85-0)

That SA to HB 490 be concurred in. (83-0)

That SA to HB 521 be concurred in. (81-0)

That SA to HB 532 be concurred in. (83-0)

Day back in the Chair.

That SA to HB 555 be not concurred in. Motion failed. (35-53)

That SA to HB 555 be concurred in. (59-32)

That SA to HB 566 be concurred in. (61-20)

That SA to HB 570 be not concurred in. (73-1)

That SA to HB 571 be concurred in. (70-3)

That SA to HB 579 be concurred in. (75-0)

That SA to HB 585 be concurred in. (75-0)

That SA to HB 596 be concurred in. (78-0)

Ramirez moved that SA to HB 616 pass consideration for the day. Motion carried.

That SA to HB 620 be concurred in. (78-0)

That SA to HB 621 be concurred in. (76-0)

Seifert moved that SA to HB 624 pass consideration for the day. Motion carried.

That SA to HB 652 be not concurred in. (62-23)

That SA to HB 675 be concurred in. (85-0)

That SA to HB 682 be not concurred in. (79-7)

That the Committee rise and report. (Day, Chairman). Day moved that the committee report be deemed read. Motion carried. Report adopted. (85-5)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Conference Committee Report on Senate Amendments to House Bill No. 100 was adopted by the following vote:

Ayes: Anderson, Azzara, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould,

Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: None.
Total 0

Excused: Baeth, Gesek, Meyer.
Total 3

Absent or not voting: Bardanouve, Burnett, Daily, Harrington, Johnson, Lien, Lund.
Total 7

Free Conference Committee Report on House Bill No. 283 was adopted by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Baeth, Gesek, Meyer.
Total 3

Absent or not voting: Daily, Dassinger, Harrington, Johnson, Lund, Rosenthal.
Total 6

Free Conference Committee Report on House Bill No. 603 was adopted by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.

Total 87

Noes: Uhde.
Total 1

Excused: Baeth, Gesek, Meyer.
Total 3

Absent or not voting: Bertelsen, Daily, Ernst, Harrington, Hurwitz, Johnson, Lund, Scully, Stobie.
Total 9

Free Conference Committee Report on House Bill No. 606 was adopted by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: None.
Total 0

Excused: Baeth, Gesek, Meyer.
Total 3

Absent or not voting: Daily, Harrington, Johnson, Lund, Marks, Nordtvedt, Scully.
Total 7

Conference Committee Report on Senate Amendments to House Joint Resolution No. 21 was adopted by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: Keedy, Kemmis, Oberg.
Total 3

Excused: Baeth, Gesek, Meyer.
Total 3

Absent or not voting: Daily, Harrington, Johnson, Lund, Reichert, Scully.
Total 6

Conference Committee Report on House Amendments to Senate Bill No. 390 was adopted by the following vote:

Ayes: Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley.
Total 86

Noes: Anderson, Roth.
Total 2

Excused: Baeth, Gesek, Meyer.
Total 3

Absent or not voting: Daily, Harrington, Hurwitz, Johnson, Lund, Marks, Nordtvedt, Scully, Mr. Speaker.
Total 9

Conference Committee Report on House Amendments to Senate Bill No. 458 was adopted by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: None.
Total 0

Excused: Baeth, Gesek, Meyer.
Total 3

Absent or not voting: Daily, Harrington, Johnson, Lund, Nordtvedt, Scully, Shelden, Sivertsen.
Total 8

Senate Amendments to House Bill No. 14 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride,

Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: None.
Total 0

Excused: Baeth, Gesek, Meyer.
Total 3

Absent or not voting: Daily, Harrington, Johnson, Lund, Scully, Seifert, Shelden.
Total 7

Senate Amendments to House Bill No. 24 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: None.
Total 0

Excused: Baeth, Gesek, Meyer.
Total 3

Absent or not voting: Daily, Donaldson, Harrington, Hirsch, Johnson, Lund, Scully, Seifert.
Total 8

Senate Amendments to House Bill No. 57 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: None.
Total 0

Excused: Baeth, Gesek, Meyer.
Total 3

Absent or not voting: Daily, Donaldson, Ellison, Harrington, Johnson, Lund, Scully, Seifert, South.
Total 9

Senate Amendments to House Bill No. 77 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Harper, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 87

Noes: None.
Total 0

Excused: Baeth, Gesek, Meyer.
Total 3

Absent or not voting: Bertelsen, Daily, Hand, Harrington, Huennekens, Johnson, Lund, Scully, Seifert, South.
Total 10

Senate Amendments to House Bill No. 112 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Ellison.
Total 1

Excused: Baeth, Gesek, Meyer.
Total 3

Absent or not voting: Daily, Harrington, Johnson, Lund, Porter, Scully, Seifert.
Total 7

Senate Amendments to House Bill No. 124 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Johnston, Kanduch, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 85

Noes: Kemmis, Nathe, Oberg.
Total 3

Excused: Baeth, Gesek, Meyer.
Total 3

Absent or not voting: Daily, Harrington, Hurwitz, Jensen, Johnson, Lund, H. Robbins, Scully, Seifert.
Total 9

Senate Amendments to House Bill No. 196 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: None.
Total 0

Excused: Baeth, Gesek, Meyer.
Total 3

Absent or not voting: Daily, Ellison, Harrington, Johnson, Lund, Scully, Seifert.
Total 7

Senate Amendments to House Bill No. 259 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert,

Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Harper.
Total 1

Excused: Baeth, Gesek, Meyer.
Total 3

Absent or not voting: Daily, Harrington, Johnson, Lund.
Total 4

Senate Amendments to House Bill No. 295 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Frates.
Total 1

Excused: Baeth, Gesek, Meyer.
Total 3

Absent or not voting: Daily, Eudaily, Harrington, Johnson, Lund.
Total 5

Senate Amendments to House Bill No. 298 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Burnett, Ellison, South.
Total 3

Excused: Baeth, Gesek, Meyer.
Total 3

Absent or not voting: Daily, Harrington, Johnson, Lund.
Total 4

Senate Amendments to House Bill No. 302 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Seifert, Shelden, Smith, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 83

Noes: Ellison, Hayne, Keedy, Kessler, Roth, South, Thoft.
Total 7

Excused: Baeth, Gesek, Meyer.
Total 3

Absent or not voting: Daily, Harrington, Johnson, Lund, Sivertsen, Underdal, Wyrick.
Total 7

Senate Amendments to House Bill No. 329 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Burnett, Moore.
Total 2

Excused: Baeth, Gesek, Meyer.
Total 3

Absent or not voting: Daily, Harrington, Johnson, Lory, Lund.
Total 5

Senate Amendments to House Bill No. 350 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, Hand, Harper, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Magone,

Manning, Manuel, Menahan, Metcalf, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 78

Noes: Burnett, Feda, Hayne, Marks, Nathe, Seifert, Smith.
Total 7

Excused: Baeth, Gesek, Meyer.
Total 3

Absent or not voting: Daily, Day, Harrington, Huennekens, Johnson, Johnston, Kropp, Lund, McBride, Shelden, Sivertsen, Stobie.
Total 12

Senate Amendments to House Bill No. 363 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Nathe.
Total 1

Excused: Baeth, Gesek, Meyer.
Total 3

Absent or not voting: Daily, Feda, Harrington, Hirsch, Johnson, Lund.
Total 6

Senate Amendments to House Bill No. 371 were concurred in by the following vote:

Ayes: Anderson, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, Hand, Harper, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 84

Noes: Azzara, Hemstad, Keyser.
Total 3

Excused: Baeth, Gesek, Meyer.

Total 3

Absent or not voting: Bardanouve, Burnett, Daily, Feda, Harrington, Johnson, Lund, H. Robbins, Roth, Thoft.
Total 10

REPORTS OF STANDING COMMITTEES

Dussault moved that all printing reports be deemed read this day. Motion carried.

BILLS (Metcalf, Chairman): 3/29/79

Correctly enrolled - HB 317, HB 779, HB 810, HJR 6.

Examined by the Sponsor and found to be correct - HB 317, HB 779, HB 810, HJR 6.

Will be signed by the Speaker on adjournment, 3/29/79 - HB 317, HB 779, HB 810, HJR 6, SB 229.

Delivered to the Governor for his approval at 4:15 p.m., 3/29/79 - HB 380, HB 481, HB 696, HB 755, HB 778, HB 827, HB 840, HB 874.

REPORTS OF SELECT COMMITTEES

FREE JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 230
Report No. 1, March 22, 1979

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 230, met March 22, 1979, and considered:

1. Senate Committee on Natural Resources amendments to the third reading copy, dated March 3, 1979;

2. Senate Committee of the Whole amendments to the third reading copy, dated March 9, 1979; and

3. Senate Committee of the Whole amendments to the third reading copy, dated March 12, 1979.

We recommend that:

1. the House accede to Senate Committee on Natural Resources amendment numbers 1, 2, 3 and 4;

2. the House accede to Senate Committee of the Whole amendments of March 9, 1979, numbers 1 and 2;

3. the House accede to Senate Committee of the Whole amendment of March 12, 1979, number 1;

4. House Bill No. 230 be further amended as indicated in CLERICAL INSTRUCTION numbers 1 and 2; and

5. the Free Conference Committee Report to House Bill No. 230 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 3, line 25.
Following: "(1)"
Strike: "THE"

Insert: "The legislature finds that the"

2. Page 4, line 1.
Strike: "NOT A BENEFICIAL USE BECAUSE SUCH USE IS"

FOR THE HOUSE:	FOR THE SENATE:
KEMMIS	ROSKIE
FEDA	LOCKREM
DAY	S. BROWN

UNFINISHED BUSINESS

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to HB 84:

Shelden, Chairman
Lory
Quilici

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to HB 190:

Harper, Chairman
Williams
Porter

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on HB 237:

Manuel, Chairman
Marks
Metcalf

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on HB 248:

Holmes, Chairman
Bertelsen
Menahan

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on HB 416:

Bardanouve, Chairman
Bengtson
Hurwitz

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on SB 497:

Metcalf, Chairman
Ellison
Hirsch

MOTIONS

Dussault moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to HB 442. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to HB 475. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to HB 482. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on HB 570. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to HB 652. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to HB 682. Motion carried.

Dussault moved that the House adjourn until 1:30 p.m., March 30, 1979.

Motion carried.

House adjourned at 4:32 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

SEVENTY-THIRD LEGISLATIVE DAY

Helena, Montana
March 30, 1979

House Chambers
Capitol Building

House convened at 1:32 p.m., Mr. Speaker in the Chair. Invocation by Representative Curtiss. Pledge of Allegiance to the Flag.

Roll call. All members present except Baeth, Gesek, Johnson, Meyer, Seifert, excused; Day, Fabrega, Hemstad, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Sixty-fourth Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

Do Pass

APPROPRIATIONS (Bardanouve, Chairman): 3/30/79
SB 317, be concurred in. Report adopted.
SB 442, be concurred in. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Gilligan, Chairman): 3/30/79

HJR 58, introduced bill, be amended as follows:

1. Page 2, line 3.
Following: "Education, the"
Insert: "administration, faculty, and students of the"

2. Page 2, line 4.
Following: line 3
Strike: "student associations,"

And as amended, do pass. Report adopted.

REPORTS OF SELECT COMMITTEES

JOINT CONFERENCE COMMITTEE
ON SENATE BILL NO. 155
Report No. 1, March 28, 1979

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Bill No. 155, met on March 28, 1979, and considered:

1. House Committee on Labor and Employment Relations amendments, dated March 8, 1979, third reading copy; and

2. House Committee of the Whole amendments, dated March 13, 1979, third reading copy.

We recommend that:

1. the House recede from Committee amendment numbers 1 through 4;

2. the House recede from Committee of the Whole amendment numbers 1, 3 and 4 and the Senate accede to Committee of the Whole amendment number 2;

3. the reference copy of Senate Bill No. 155 read as specified in the CLERICAL INSTRUCTIONS;

4. the Conference Committee Report to Senate Bill No. 155 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 1, lines 23 through 25.
Following: line 22
Strike: lines 23 through 25 in their entirety
Insert: "(1) an employee with respect to whom the United States Secretary of Transportation has power to establish qualifications and maximum hours of service pursuant to the provisions of 49 U.S.C. 304;

(2) an employee of an employer subject to the provisions of part I of the Interstate Commerce Act;

(3) an individual employed as an outside buyer of poultry, eggs, cream, or milk, in their raw or natural state;"
Renumber: subsequent subsections

2. Page 2, line 2.
Following: "~~AND~~"
Insert: "partsman, or mechanic paid on a commission or contract basis and"

3. Page 2, line 3.
Following: "~~servicing~~"
Insert: "or servicing"

4. Page 4, line 9 through line 17.
Following: line 9
Strike: lines 10 through line 17 in their entirety
Insert: "(6) an employee employed as a driver or driver's helper making local deliveries who is compensated for such employment on the basis of trip rates, or other delivery payment plan, if the commissioner finds that such plan has the general purpose and effect of reducing hours worked by such employees to or below the maximum workweek applicable to them under 39-3-405;

(7) an employee employed in agriculture or in connection with the operation or maintenance of ditches, canals, reservoirs, or waterways not owned or operated for profit and not operated on a sharecrop basis and which are used exclusively for supply and storing of water for agricultural purposes;

(8) an employee with respect to his employment in agriculture by a farmer, notwithstanding other employment of such employee in connection with livestock auction operations in which such farmer is engaged as an adjunct to the raising of livestock, either on his own account or in conjunction with other farmers, if such employee is:

(a) primarily employed during his workweek in agriculture by such farmer; and

(b) paid for his employment in connection with such livestock auction operations at a wage rate not less than that prescribed by 34-3-404;

(9) an employee of an establishment commonly recognized as a country elevator, including an establishment which sells products and services used in the operation of a farm, if no more than five employees are employed by the establishment;

(10) a driver employed by an employer engaged in the business of operating taxicabs;

(11) an employee who is employed with his spouse by a nonprofit educational institution to serve as the parents of children who are orphans or one of whose natural parents is deceased or who are enrolled in such institution and reside in residential facilities of the institution so long as the children are in residence at the institution and so long as such employee and his spouse reside in such facilities and receive, without cost, board and lodging from the institution and are together compensated, on a cash basis, at an annual rate of not less than $10,000; or

(12) an employee employed in planting or tending trees; cruising, surveying, or felling timber; or transporting logs or other forestry products to a mill, processing plant, railroad, or other transportation terminal if the number of employees employed by his employer in such forestry or lumbering operations does not exceed eight."

FOR THE HOUSE: FOR THE SENATE:

H. ROBBINS LOWE
SCULLY BOYLAN
PORTER DOVER

MESSAGES FROM THE GOVERNOR

The Honorable Harold Gerke 3/29/79
Speaker
House of Representatives
State Capitol
Helena, Montana

Dear Mr. Speaker:

This is to inform you that I have signed the following measure this date:

House Bill No. 486.

Sincerely,

Thomas L. Judge
Governor

The Honorable William Mathers 3/29/79
President of the Senate
State Capitol Building
Helena, Montana 59601

The Honorable Harold Gerke
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear President Mathers and Speaker Gerke:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return House Bill No. 684, "AN ACT TO GENERALLY REVISE THE METAL MINE RECLAMATION LAWS; AMENDING SECTIONS 82-4-303, 82-4-305, 82-4-331, 82-4-332, 82-4-334, 82-4-335, AND 82-4-337, MCA; AND REPEALING SECTION 82-4-333, MCA." without my signature and recommend the attached amendments.

House Bill No. 684 makes certain changes in the Metal Mine Reclamation Law relating to the small miner exclusion. I support the present law, and this legislation, which make special provisions in order to recognize the needs of the legitimate small miner. It is the purpose of the amendments I am suggesting to protect and encourage the small miner while making sure that changes in reclamation requirements, acceptable on a small scale, are not taken advantage of by larger interests.

The amendments to HB 684 which I propose can be classified into three general areas. First, I am proposing to amend that portion of the bill that deals with roads. As presently written, HB 684 excludes roads which a public agency wishes to remain after the operation has terminated from the definition of "disturbed land." This provision addresses the present situation in which small operations are precluded from using the small miner exclusion, which is available only to operators who disturb less than five acres, because the public agency requires that the road be constructed much wider or longer than would be required for a road used exclusively for access or haulage.

The problem can be solved by simply providing that the acreage covered by these roads will not be included in the computation of the area covered by the operation for the purpose of determining whether the operator is a small miner. In this manner, the Department will retain authority to review proposals of operators who must obtain permits to leave roads unreclaimed. I have also substituted a more precise term for the indefinite term "public agency" and have added a requirement that the agency be willing to maintain the road once mining ceases.

Second, HB 684 would allow small operators to mine up to ten acres, instead of the present five acres, as long as the ten acres consists of two operations of less than five acres; they are the only operations conducted by that operator; they are noncontiguous; and they are not operated simultaneously. Claims are considered "noncontiguous" if they have no point in common. The apparent advantage of this provision is that it allows a small operator who has an operation which becomes inaccessible or inoperable due to winter weather to continue operation during the winter at another location. However, as presently written, HB 684 would allow two five-acre operations so close as to constitute in practical effect one ten-acre operation. I have therefore eliminated the definition of "noncontiguous" and the requirement that the two five-acre operations be noncontiguous. I have substituted in their place a requirement that the operations be at least a mile apart. The amendment will allow summer/winter operations while prohibiting the ten-acre small miner exclusion statement. I have also amended the term "a transition period" to read "seasonal transition periods" to clarify that the amendment is meant to allow summer/winter operations.

Third, HB 684, would eliminate the requirement that to qualify for the small miner exclusion, a miner must remove less than 36,500 tons of material a year. The elimination of this requirement would exempt 25% of the operators who presently have permits from the permitting and reclamation requirements of the law. While there may be good arguments to adjust the tonnage requirements, total repeal is not acceptable.

I urge your concurrence in these amendments.

Sincerely,

Thomas L. Judge
Governor

PROPOSED AMENDMENTS TO HOUSE BILL NO. 684

1. Page 2, lines 8 through 13.
Following: "plan."
Strike: remainder of lines 8 through 13

2. Page 3, lines 9 through 11.
Strike: lines 9 through 11 in their entirety
Renumber: subsequent subsections

3. Page 4, line 18.
Following: "(11)"
Insert: "(a)"

4. Page 4, line 19.
Following: "mining"
Strike: ";"
Insert: ","

5. Page 4, line 21.
Following: "~~aggregate.~~"
Insert: "that does not remove from the earth during any calendar year material in excess of 36,500 tons in the aggregate, that"

6. Page 4, line 22.
Following: "82-4-335"
Strike: ";"
Insert: ","
Following: "and"
Insert: "that"

7. Page 4, line 23.
Strike: "(a)"
Insert: "(i)"
Reletter: subsequent subsections

8. Page 5, line 5.
Following: "(ii)"
Strike: "noncontiguous"
Insert: "at least 1 mile apart at their closest point"

9. Page 5, lines 6 and 7.
Following: "during"
Strike: "a transition period"
Insert: "seasonal transitional periods"

10. Page 5.
Following: line 7
Insert: "(b) For the purpose of this definition only, the department shall, in computing the area covered by the operation, exclude access or haulage roads that are required by a local, state, or federal agency having jurisdiction over that road to be constructed to certain specifications if that public agency notifies the department in writing that it desires to have the road remain in use and will maintain it after mining or exploration ceases."

MESSAGES FROM THE OTHER HOUSE

The Senate on 3/28/79, failed to concur in House Amendments to Senate Bill No. 106 and appointed a Conference Committee and requested that the House of Representatives appoint a like committee to confer on House Amendments to Senate Bill No. 106.

The President appointed the following members:

Senator Bob Brown, Chairman
Senator McCallum
Senator Steve Brown

The Senate on 3/28/79, failed to concur in House Amendments to Senate Bill No. 284 and appointed a Free Conference Committee and the Senate requested that the House of Representatives appoint a like committee to confer on Senate Bill No. 284.

The President appointed the following members:

Senator Lowe, Chairman
Senator Kolstad
Senator Towe

The Senate on 3/29/79, dissolved the Conference Committee on House Amendments to Senate Bill No. 497 and appointed a Free Conference Committee to meet with a like committee from the House to confer on Senate Bill No. 497.

The President appointed the following members:

Senator Mike Anderson, Chairman
Senator Manley
Senator Van Valkenburg

The Senate on 3/28/79, failed to concur in House Amendments to Senate Bill No. 412 and appointed a Conference Committee and the Senate requested the House of Representatives to appoint a like committee to confer on House Amendments to Senate Bill No. 412.

The President appointed the following members:

Senator McCallum, Chairman
Senator Story
Senator Watt

The Senate on 3/28/79, failed to concur in House Amendments to Senate Bill No. 2 and appointed a Conference Committee and the Senate requested the House of Representatives to appoint a like committee to confer on House Amendments to Senate Bill No. 2.

The President appointed the following members:

Senator McCallum, Chairman
Senator Mathers
Senator Blaylock

The Senate on 3/28/79, failed to concur in House Amendments to Senate Bill No. 217 and appointed a Conference Committee and the Senate requested that the House of Representatives appoint a like committee to confer on House Amendments to Senate Bill No. 217.

The President appointed the following members:

Senator Bob Brown, Chairman
Senator Turnage
Senator Stimatz

House Amendments to Senate Bills concurred in: 3/29/79

House Amendments to Senate Bill No. 65, introduced by Lensink, Regan

House Amendments to Senate Bill No. 88, introduced by Turnage, Towe

House Amendments to Senate Bill No. 250, introduced by Turnage

House Amendments to Senate Bill No. 271, introduced by Hazelbaker, Towe

House Amendments to Senate Bill No. 291, introduced by Lensink

House Amendments to Senate Bill No. 323, introduced by E. Smith, et al

House Amendments to Senate Bill No. 352, introduced by McCallum

House Amendments to Senate Bill No. 356, introduced by Towe, Norman

House Amendments to Senate Bill No. 374, introduced by Van Valkenburg

House Amendments to Senate Bill No. 431, introduced by Hafferman, Graham

House Amendments to Senate Bill No. 468, introduced by Stimatz, Galt

House Amendments to Senate Bill No. 481, introduced by Regan, Fasbender, Stephens, Kolstad

House Amendments to Senate Bill No. 482, introduced by B. Brown

House Amendments to Senate Bill No. 519, introduced by Judiciary Committee (Lensink, Chairman)

House Amendments to Senate Bill No. 520, introduced by Agriculture, Livestock and Irrigation Committee (Galt, Chairman)

Representative Harold E. Gerke 3/28/79
Speaker of the House

Dear Mr. Speaker:

Due to Senator Etchart's injuries that have resulted in his extended absence from the Senate, I have removed him as chairman of the Conference Committee on Senate Bill No. 497 and appointed Senator Mike Anderson.

Sincerely,

W. L. "Bill" Mathers
President of the Senate

Conference Committee Report adopted: 3/29/79

Free Conference Committee Report on House Bill No. 603

MOTIONS

Dussault moved that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on SB 284. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on House Amendments to SB 106. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on House Amendments to SB 412. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on House Amendments to SB 2. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on House Amendments to SB 217. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on SB 497. Motion carried.

Scully moved that the Conference Committee on Senate Amendments to HB 594 be dissolved and that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on HB 594. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Joint Resolution No. 59 was passed by the following vote:

Ayes: Anderson, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Holmes, Huennekens, Hurwitz, Iverson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 83

Noes: Dussault, Hirsch, Oberg, Sales.
Total 4

Excused: Baeth, Gesek, Johnson, Meyer, Seifert.
Total 5

Absent or not voting: Azzara, Bardanouve, Day, Fabrega, Hemstad, Jensen, Roth, Stobie.
Total 8

Senate Bill No. 200 was concurred in by the following vote:

Ayes: Anderson, Azzara, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: None.

Total 0

Excused: Baeth, Gesek, Johnson, Meyer, Seifert.
Total 5

Absent or not voting: Bardanouve, Day, Fabrega, Hemstad, Jensen, Roth, Stobie.
Total 7

Senate Bill No. 232 (Constitutional Amendment) was concurred in by the following vote:

Ayes: Anderson, Azzara, Bengtson, Bennett, Bertelsen, Burnett, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fagg, Feda, Frates, Gilligan, Gould, Harper, Harrington, Hirsch, Holmes, Huennekens, Iverson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, South, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wyrick, Mr. Speaker.
Total 72

Noes: Brand, Conroy, Eudaily, Hand, Hurwitz, Lory, Moore, Smith, Spilker, Staigmiller, Waldron, Wood, Yardley.
Total 13

Excused: Baeth, Gesek, Johnson, Meyer, Seifert.
Total 5

Absent or not voting: Bardanouve, Day, Fabrega, Hayne, Hemstad, Jensen, Oberg, K. Robbins, Roth, Stobie.
Total 10

Conference Committee Report on House Amendments to Senate Bill No. 489 was adopted by the following vote:

Ayes: Anderson, Azzara, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 85

Noes: Huennekens, Keyser, Porter.
Total 3

Excused: Baeth, Gesek, Johnson, Meyer, Seifert.
Total 5

Absent or not voting: Bardanouve, Bennett, Day, Fabrega, Hemstad, Manuel, Roth.
Total 7

Governor's Amendments to House Bill No. 334 were adopted by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ernst, Eudaily, Fagg, Feda, Gilligan, Gould, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 83

Noes: None.
Total 0

Excused: Baeth, Gesek, Johnson, Meyer, Seifert.
Total 5

Absent or not voting: Bennett, Day, Ellerd, Ellis, Ellison, Fabrega, Frates, Hayne, Hemstad, Jensen, Roth, Stobie.
Total 12

Governor's Amendments to House Bill No. 489 were adopted by the following vote:

Ayes: Anderson, Bardanouve, Bengtson, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gilligan, Gould, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 87

Noes: None.
Total 0

Excused: Baeth, Gesek, Johnson, Meyer, Seifert.
Total 5

Absent or not voting: Azzara, Bennett, Bertelsen, Day, Fabrega, Hand, Hemstad, Roth.
Total 8

Senate Amendments to House Bill No. 12 were concurred in by the following vote:

Ayes: Anderson, Bardanouve, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie,

Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 85

Noes: Rosenthal.
Total 1

Excused: Baeth, Gesek, Johnson, Meyer, Seifert.
Total 5

Absent or not voting: Azzara, Bennett, Day, Ellerd, Fabrega, Hemstad, Kemmis, Roth, Scully.
Total 9

Senate Amendments to House Bill No. 836 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Kessler.
Total 1

Excused: Baeth, Gesek, Johnson, Meyer, Seifert.
Total 5

Absent or not voting: Day, Hemstad, Roth, Scully.
Total 4

Senate Amendments to House Bill No. 420 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Nathe, Smith.
Total 2

Excused: Baeth, Gesek, Johnson, Meyer, Seifert.
Total 5

Absent or not voting: Day, Hemstad, Roth.
Total 3

Senate Amendments to House Bill No. 424 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Baeth, Gesek, Johnson, Meyer, Seifert.
Total 5

Absent or not voting: Day, Hemstad, Rosenthal, Roth.
Total 4

Senate Amendments to House Bill No. 436 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Yardley, Mr. Speaker.
Total 87

Noes: Keyser, Moore, Wood, Wyrick.
Total 4

Excused: Baeth, Gesek, Johnson, Meyer, Seifert.
Total 5

Absent or not voting: Day, Hemstad, Kropp, Roth.
Total 4

Senate Amendments to House Bill No. 438 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride,

Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: None.
Total 0

Excused: Baeth, Gesek, Johnson, Meyer, Seifert.
Total 5

Absent or not voting: Day, Hemstad, Kemmis, Nordtvedt, Roth.
Total 5

Senate Amendments to House Bill No. 452 were concurred in by the following vote:

Ayes: Anderson, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Daily, Dassinger, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Gould, Hand, Hayne, Hirsch, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Keyser, Kropp, Kvaalen, Lien, Lory, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vinger, Williams, Wood, Wyrick, Yardley.
Total 66

Noes: Azzara, Bardanouve, Brand, Cooney, Dussault, Fagg, Frates, Gilligan, Harper, Harrington, Holmes, Huennekens, Kemmis, Kessler, Lund, McBride, Metcalf, Nathe, Oberg, Ramirez, Reichert, H. Robbins, Scully, Shelden, South, Uhde, Vincent, Waldron, Mr. Speaker.
Total 29

Paired: Meyer, Roth, Seifert, Ayes; Azzara, Dussault, Vincent, Noes.

Excused: Baeth, Gesek, Johnson.
Total 3

Absent or not voting: Day, Hemstad.
Total 2

Senate Amendments to House Bill No. 453 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 87

Noes: Daily, Holmes, K. Robbins, Teague.
Total 4

Excused: Baeth, Gesek, Johnson, Meyer, Seifert.
Total 5

Absent or not voting: Day, Hemstad, Oberg, Roth.
Total 4

Senate Amendments to House Bill No. 454 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: Dozier, Keedy, Nathe.
Total 3

Excused: Baeth, Gesek, Johnson, Meyer, Seifert.
Total 5

Absent or not voting: Day, Fagg, Hemstad, Roth.
Total 4

Senate Amendments to House Bill No. 456 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 84

Noes: Frates, Keyser, Kropp, Pavlovich, Schultz, Wyrick.
Total 6

Excused: Baeth, Gesek, Johnson, Meyer, Seifert.
Total 5

Absent or not voting: Day, Donaldson, Hemstad, Roth, Scully.
Total 5

Senate Amendments to House Bill No. 460 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda,

Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Baeth, Gesek, Johnson, Meyer, Seifert.
Total 5

Absent or not voting: Dassinger, Day, Hemstad, Roth.
Total 4

Senate Amendments to House Bill No. 487 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: None.
Total 0

Excused: Baeth, Gesek, Johnson, Meyer, Seifert.
Total 5

Absent or not voting: Day, Hayne, Hemstad, Roth, Sivertsen.
Total 5

Senate Amendments to House Bill No. 488 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Baeth, Gesek, Johnson, Meyer, Seifert.
Total 5

Absent or not voting: Day, Hemstad, Johnston, Roth.
Total 4

Senate Amendments to House Bill No. 490 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: None.
Total 0

Excused: Baeth, Gesek, Johnson, Meyer, Seifert.
Total 5

Absent or not voting: Day, Hemstad, Roth.
Total 3

Senate Amendments to House Bill No. 521 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Keedy.
Total 1

Excused: Baeth, Gesek, Johnson, Meyer, Seifert.
Total 5

Absent or not voting: Day, Hemstad, Roth, Shelden.
Total 4

Senate Amendments to House Bill No. 532 were concurred in by the following vote:

Ayes: Anderson, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Azzara.
Total 1

Excused: Baeth, Gesek, Johnson, Meyer, Seifert.
Total 5

Absent or not voting: Day, Hemstad, Hirsch, Oberg, Roth.
Total 5

Senate Amendments to House Bill No. 555 were concurred in by the following vote:

Ayes: Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Daily, Day, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Gilligan, Gould, Hand, Hirsch, Hurwitz, Iverson, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Marks, Menahan, Moore, Nathe, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, H. Robbins, Sales, Schultz, Scully, Sivertsen, Smith, South, Spilker, Teague, Thoft, Tropila, Uhde, Underdal, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 61

Noes: Anderson, Brand, Cooney, Dassinger, Dozier, Dussault, Frates, Harper, Harrington, Hayne, Holmes, Huennekens, Keedy, Kemmis, Kessler, McBride, Manning, Metcalf, Nordtvedt, Oberg, Quilici, Reichert, K. Robbins, Rosenthal, Shelden, Staigmiller, Vincent, Yardley.
Total 28

Excused: Baeth, Gesek, Johnson, Meyer, Seifert.
Total 5

Absent or not voting: Fagg, Hemstad, Jensen, Manuel, Roth, Stobie.
Total 6

Senate Amendments to House Bill No. 566 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Marks, Menahan, Metcalf, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.

Total 83

Noes: Keedy, Nordtvedt.
Total 2

Excused: Baeth, Gesek, Johnson, Meyer, Seifert.
Total 5

Absent or not voting: Dassinger, Hemstad, Huennekens, Kropp, Manning, Manuel, Roth, Scully, Smith, Wyrick.
Total 10

Senate Amendments to House Bill No. 571 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: Huennekens, South.
Total 2

Excused: Baeth, Gesek, Johnson, Meyer, Seifert.
Total 5

Absent or not voting: Hemstad, Manning, Nordtvedt, Roth, Scully.
Total 5

Senate Amendments to House Bill No. 579 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Magone.
Total 1

Excused: Baeth, Gesek, Johnson, Meyer, Seifert.
Total 5

Absent or not voting: Dussault, Hemstad, Manning, Roth, Scully.
Total 5

Senate Amendments to House Bill No. 585 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Nathe.
Total 1

Excused: Baeth, Gesek, Johnson, Meyer, Seifert.
Total 5

Absent or not voting: Bertelsen, Hemstad, Hurwitz, Manning, Roth.
Total 5

Senate Amendments to House Bill No. 596 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: None.
Total 0

Excused: Baeth, Gesek, Johnson, Meyer, Seifert.
Total 5

Absent or not voting: Hemstad, Oberg, Roth.
Total 3

Senate Amendments to House Bill No. 620 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe,

Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Baeth, Gesek, Johnson, Meyer, Seifert.
Total 5

Absent or not voting: Hemstad, Huennekens, Roth, Scully.
Total 4

Senate Amendments to House Bill No. 621 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 83

Noes: Feda, Keedy, Porter, K. Robbins, Sivertsen, Smith, Stobie, Vinger.
Total 8

Excused: Baeth, Gesek, Johnson, Meyer, Seifert.
Total 5

Absent or not voting: Hemstad, Johnston, Pavlovich, Roth.
Total 4

Senate Amendments to House Bill No. 675 were concurred in by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: Bennett, Moore, Smith.
Total 3

Excused: Baeth, Gesek, Johnson, Meyer, Seifert.
Total 5

Absent or not voting: Donaldson, Hemstad, Roth, Stobie.
Total 4

MOTIONS

Ellerd moved that he be recorded as voting aye instead of nay on SB 232 on Third Reading this day. Motion carried unanimously. (79-0)

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Teague in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Roth excused at this time.

That HJR 61 do pass. (67-17)

Moore moved that SA to HB 616 pass consideration for the day. Motion carried.

That SA to HB 624 be concurred in. (70-4)

That SA to HB 688 be concurred in. (73-0)

That SA to HB 699 be concurred in. (69-2)

That SA to HB 712 be concurred in. (56-15)

That SA to HB 713 be concurred in. (67-9)

That SA to HB 717 be concurred in. (80-0)

That SA to HB 718 be concurred in. (81-1)

That SA to HB 737 be not concurred in. (74-4)

That SA to HB 749 be concurred in. (77-1)

That SA to HB 751 be concurred in. (72-1)

That SA to HB 759 be not concurred in. (70-5)

That SA to HB 771 be concurred in. (75-1)

That SA to HB 783 be concurred in. (72-0)

That SA to HB 785 be concurred in. (72-0)

That SA to HB 797 be concurred in. (69-2)

That SA to HB 819 be concurred in. (70-1)

That SA to HB 833 be concurred in. (62-1)

That SA to HB 842 be not concurred in. (73-8)

That SA to HB 850 be concurred in. (74-5)

That SA to HB 853 be concurred in. (71-7)

That SA to HB 863 be concurred in. (78-0)

Hayne excused at this time.

That SA to HB 864 be concurred in. (75-0)

That SA to HB 875 be concurred in. (73-0)

That SA to HJR 19 be not concurred in. (69-6)

That SA to HJR 37 be concurred in. (74-0)

That SA to HJR 43 be concurred in. (79-0)

That Statement of Intent - HB 342 be concurred in. (80-0)

That the Committee rise and report. (Teague, Chairman). Teague moved that the Committee of the Whole Report be deemed read. Motion carried. Report adopted. (79-0)

REPORTS OF STANDING COMMITTEES

Dussault moved that all printing reports be deemed read this day. Motion carried.

BILLS (Metcalf, Chairman): 3/30/79
Correctly enrolled - HB 82, HB 176, HB 260, HB 556, HB 597, HB 886, HJR 54, HJR 57.

Examined by the Sponsor and found to be correct - HB 82, HB 176, HB 260, HB 556, HB 597, HB 886, HJR 54, HJR 57.

Will be signed by the Speaker on adjournment, 3/30/79 - HB 82, HB 176, HB 260, HB 556, HB 597, HB 886, HJR 54, HJR 57.

Do Pass

NATURAL RESOURCES (Shelden, Chairman): 3/30/79
HJR 60, introduced bill, be amended as follows:

1. Title, line 6.
Strike: "COMMITTEE ON PRIORITIES TO ASSIGN THE"

2. Page 2, line 21.
Strike: "the Committee on Priorities is requested to assign"

3. Page 2, line 22.
Strike: "to"

And as amended, do pass. Report adopted.

UNFINISHED BUSINESS

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on House Bill No. 570:

Menahan, Chairman
K. Robbins
Roth

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on House Amendments to Senate Bill No. 412:

Shelden, Chairman
O'Connell
Curtiss

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on Senate Bill No. 284:

Brand, Chairman
Lien
Underdal

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on House Amendments to Senate Bill No. 217:

Yardley, Chairman
Kemmis
Ramirez

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on House Amendments to Senate Bill No. 106:

Keedy, Chairman
Uhde
Eudaily

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on House Amendments to Senate Bill No. 2:

Gilligan, Chairman
Lory
Magone

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to House Bill No. 482:

Kessler, Chairman
Conroy
Meyer

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to House Bill No. 475:

Kemmis, Chairman
Fagg
Vincent

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to House Bill No. 682:

Hand, Chairman
Keyser
Daily

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to House Bill No. 652:

Keedy, Chairman
Hand
Hemstad

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to House Bill No. 442:

Hirsch, Chairman
Yardley
Nathe

MOTIONS

Yardley moved that the Conference Committee on House Amendments to SB 217 be dissolved. Motion carried.

Yardley moved that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on SB 217. Motion carried.

Dussault moved that the Governor's Amendments to HB 457 be placed on Second Reading on the Seventy-fifth Legislative Day. Motion carried.

Dussault moved that the Governor's Amendments to HB 684 be placed on Second Reading on the Seventy-fifth Legislative Day. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to HB 737. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to HB 759. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on HJR 19. Motion carried.

Dussault moved that the House adjourn until 11:00 a.m., March 31, 1979.

Motion carried.

House adjourned at 3:25 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

SEVENTY-FOURTH LEGISLATIVE DAY

Helena, Montana
March 31, 1979

House Chambers
Capitol Building

House convened at 11:01 a.m., Mr. Speaker in the Chair. Invocation by Representative Williams. Pledge of Allegiance to the Flag.

Roll call. All members present except Azzara, Baeth, Gesek, Hayne, Johnson, Meyer, Porter, K. Robbins, Seifert, Stobie, Waldron, excused; Harrington, Marks, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Sixty-sixth Legislative Day, find the same to be correct.

METCALF, Chairman

COMMUNICATIONS AND PETITIONS

Mrs. Martha McGee
Chief Clerk
House of Representatives

3/31/79

Dear Mrs. McGee:

I have this day appointed the following Representatives to serve on the Administrative Code Committee for the 1979-80 biennium:

Representative Hal Harper, Democrat

Representative Les Hirsch, Democrat

Representative Jack Ramirez, Republican

Representative Chris Stobie, Republican

Sincerely,

Harold E. Gerke
Speaker

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 3/31/79

Correctly printed - HJR 58, HJR 60.
Considered correctly engrossed - HJR 61.

Signed by the Speaker on adjournment, 3/30/79 - HB 82, HB 176, HB 260, HB 556, HB 597, HB 886, HJR 54, HJR 57, SB 32, SB 49, SB 54, SB 132, SB 205, SB 208, SB 225, SB 243, SB 256, SB 273, SB 346, SB 377, SB 395, SB 397, SB 404, SB 409, SB 422, SB 491, SB 516, SJR 14, SJR 27.

Signed by the Speaker on adjournment, 3/29/79 - SB 229.

Do Pass

TAXATION (Huennekens, Chairman): 3/30/79

SB 46, be concurred in. Report adopted.
SB 265, be concurred in. Report adopted.
SB 477, be concurred in. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable Harold Gerke 3/30/79
Speaker
House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that I have signed the following measures this date:

House Bill Nos. 591, 600 and 815.

Sincerely,

Thomas L. Judge
Governor

MESSAGES FROM THE OTHER HOUSE

The Senate on 3/29/79, failed to concur in the Governor's Amendments to Senate Bill No. 78 and appointed a Conference Committee and the Senate requested that the House of Representatives appoint a like committee to confer on the Governor's Amendments to Senate Bill No. 78.

The President appointed the following members:

Senator Turnage, Chairman
Senator Van Valkenburg
Senator Anderson

The Senate on 3/29/79, failed to concur in House Amendments to Senate Bill No. 170 and appointed a Conference Committee and the Senate requested that the House of Representatives appoint a like committee to confer on House Amendments to Senate Bill No. 170.

The President appointed the following members:

Senator Rasmussen, Chairman
Senator Towe
Senator Hager

The Senate on 3/30/79, acceded to the request of the House of Representatives for a Conference Committee and appointed a committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 84.

The President appointed the following members:

Senator Story, Chairman
Senator Hafferman
Senator Roskie

House Bill concurred in as amended and returned to the House for concurrence in Senate Amendments: 3/30/79

House Bill No. 150, introduced by Fabrega, Huennekens, Williams, Fagg, Sivertsen, Vincent

House Amendments to Senate Bills concurred in: 3/30/79

House Amendments to Senate Bill No. 301, introduced by Lensink, et al

House Amendments to Senate Bill No. 425, introduced by Thiessen, et al

House Amendments to Senate Bill No. 462, introduced by Manley

House Amendments to Senate Bill No. 515, introduced by Graham

The Senate on 3/30/79, acceded to the request of the House of Representatives and appointed a Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 190.

The President appointed the following members:

Senator Lowe, Chairman
Senator Aklestad
Senator Mehrens

MOTIONS

Speaker Pro Tem Brand replaced Speaker Gerke in the Chair.

Mr. Speaker back in the Chair.

South moved that the rules be temporarily suspended to allow the introduction of a bill concerning the accounting system of the vo-tech centers. Motion carried. (79-2)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House joint resolution was introduced, read first time and referred to committee:

HJR 65, introduced by Yardley, Bardanouve, Ellis, Holmes, Dussault, Metcalf, Lund. Referred to House Select Committee on Prisons.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Amendments to House Bill No. 624 were concurred in by the following vote:

Ayes: Anderson, Bardanouve, Bengtson, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Wood, Wyrick, Yardley, Mr. Speaker.
Total 84

Noes: None.
Total 0

Excused: Azzara, Baeth, Gesek, Hayne, Johnson, Meyer, Porter, K. Robbins, Seifert, Stobie, Waldron.
Total 11

Absent or not voting: Bennett, Burnett, Marks, Sivertsen, Williams.
Total 5

Senate Amendments to House Bill No. 688 were concurred in by the following vote:

Ayes: Anderson, Bardanouve, Bengtson, Bennett, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 85

Noes: Feda.
Total 1

Excused: Azzara, Baeth, Gesek, Hayne, Johnson, Meyer, Porter, K. Robbins, Seifert, Stobie, Waldron.
Total 11

Absent or not voting: Bertelsen, Burnett, Marks.
Total 3

Senate Amendments to House Bill No. 699 were concurred in by the following vote:

Ayes: Anderson, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Wood, Wyrick, Yardley, Mr. Speaker.
Total 82

Noes: Hemstad, Keedy, Kemmis, Roth.
Total 4

Excused: Azzara, Baeth, Gesek, Hayne, Johnson, Meyer, Porter, K. Robbins, Seifert, Stobie, Waldron.
Total 11

Absent or not voting: Burnett, Marks, Williams.
Total 3

Senate Amendments to House Bill No. 712 were concurred in by the following vote:

Ayes: Anderson, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg,

O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 85

Noes: Keedy, Manuel.
Total 2

Excused: Azzara, Baeth, Gesek, Hayne, Johnson, Meyer, Porter, K. Robbins, Seifert, Stobie, Waldron.
Total 11

Absent or not voting: Burnett, Marks.
Total 2

Senate Amendments to House Bill No. 713 were concurred in by the following vote:

Ayes: Anderson, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wyrick, Yardley, Mr. Speaker.
Total 84

Noes: Ellison, Wood.
Total 2

Excused: Azzara, Baeth, Gesek, Hayne, Johnson, Meyer, Porter, K. Robbins, Seifert, Stobie, Waldron.
Total 11

Absent or not voting: Burnett, Day, Marks.
Total 3

Senate Amendments to House Bill No. 717 were concurred in by the following vote:

Ayes: Anderson, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 86

Noes: None.
Total 0

Excused: Azzara, Baeth, Gesek, Hayne, Johnson, Meyer, Porter, K. Robbins, Seifert, Stobie, Waldron.

Total 11

Absent or not voting: Burnett, Hurwitz, Marks.
Total 3

Senate Amendments to House Bill No. 718 were concurred in by the following vote:

Ayes: Anderson, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Moore, Nathe, Oberg, O'Connell, Pavlovich, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 84

Noes: Uhde.
Total 1

Excused: Azzara, Baeth, Gesek, Hayne, Johnson, Meyer, Porter, K. Robbins, Seifert, Stobie, Waldron.
Total 11

Absent or not voting: Burnett, Marks, Nordtvedt, Pistoria.
Total 4

Senate Amendments to House Bill No. 749 were concurred in by the following vote:

Ayes: Anderson, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wyrick, Yardley, Mr. Speaker.
Total 86

Noes: Wood.
Total 1

Excused: Azzara, Baeth, Gesek, Hayne, Johnson, Meyer, Porter, K. Robbins, Seifert, Stobie, Waldron.
Total 11

Absent or not voting: Burnett, Marks.
Total 2

Senate Amendments to House Bill No. 751 were concurred in by the following vote:

Ayes: Anderson, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan,

Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 85

Noes: None.
Total 0

Excused: Azzara, Baeth, Gesek, Hayne, Johnson, Meyer, Porter, K. Robbins, Seifert, Stobie, Waldron.
Total 11

Absent or not voting: Burnett, Day, Marks, Sales.
Total 4

Senate Amendments to House Bill No. 771 were concurred in by the following vote:

Ayes: Anderson, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 82

Noes: Keedy, Keyser, Underdal.
Total 3

Excused: Azzara, Baeth, Gesek, Hayne, Johnson, Meyer, Porter, K. Robbins, Seifert, Stobie, Waldron.
Total 11

Absent or not voting: Burnett, Ellis, Iverson, Marks.
Total 4

Senate Amendments to House Bill No. 783 were concurred in by the following vote:

Ayes: Anderson, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 85

Noes: Roth, Scully.
Total 2

Excused: Azzara, Baeth, Gesek, Hayne, Johnson, Meyer, Porter, K. Robbins, Seifert, Stobie, Waldron.
Total 11

Absent or not voting: Burnett, Marks.
Total 2

Senate Amendments to House Bill No. 785 were concurred in by the following vote:

Ayes: Anderson, Bardanouve, Bengtson, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 84

Noes: Vincent.
Total 1

Excused: Azzara, Baeth, Gesek, Hayne, Johnson, Meyer, Porter, K. Robbins, Seifert, Stobie, Waldron.
Total 11

Absent or not voting: Bennett, Burnett, Marks, Sales.
Total 4

Senate Amendments to House Bill No. 797 were concurred in by the following vote:

Ayes: Anderson, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 87

Noes: None.
Total 0

Excused: Azzara, Baeth, Gesek, Hayne, Johnson, Meyer, Porter, K. Robbins, Seifert, Stobie, Waldron.
Total 11

Absent or not voting: Burnett, Marks.
Total 2

Senate Amendments to House Bill No. 819 were concurred in by the following vote:

Ayes: Anderson, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 85

Noes: Keyser.
Total 1

Excused: Azzara, Baeth, Gesek, Hayne, Johnson, Meyer, Porter, K. Robbins, Seifert, Stobie, Waldron.
Total 11

Absent or not voting: Burnett, Holmes, Marks.
Total 3

Senate Amendments to House Bill No. 833 were concurred in by the following vote:

Ayes: Anderson, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 82

Noes: Dozier, Keedy, Moore, Oberg, Roth.
Total 5

Excused: Azzara, Baeth, Gesek, Hayne, Johnson, Meyer, Porter, K. Robbins, Seifert, Stobie, Waldron.
Total 11

Absent or not voting: Burnett, Marks.
Total 2

Senate Amendments to House Bill No. 850 were concurred in by the following vote:

Ayes: Anderson, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez,

Reichert, H. Robbins, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Williams, Wood, Wyrick, Mr. Speaker.
Total 77

Noes: Brand, Dozier, Dussault, Hand, Harper, Harrington, Nathe, Rosenthal, Vinger, Yardley.
Total 10

Excused: Azzara, Baeth, Gesek, Hayne, Johnson, Meyer, Porter, K. Robbins, Seifert, Stobie, Waldron.
Total 11

Absent or not voting: Burnett, Marks.
Total 2

Senate Amendments to House Bill No. 853 were concurred in by the following vote:

Ayes: Anderson, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Nathe, Nordtvedt, O'Connell, Pavlovich, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, South, Spilker, Teague, Thoft, Tropila, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 73

Noes: Ernst, Hurwitz, Jensen, Johnston, Keedy, Moore, Oberg, Sivertsen, Smith, Staigmiller, Uhde, Vinger.
Total 12

Excused: Azzara, Baeth, Gesek, Hayne, Johnson, Meyer, Porter, K. Robbins, Seifert, Stobie, Waldron.
Total 11

Absent or not voting: Burnett, Lien, Marks, Pistoria.
Total 4

Senate Amendments to House Bill No. 863 were concurred in by the following vote:

Ayes: Anderson, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 85

Noes: Keyser.
Total 1

Excused: Azzara, Baeth, Gesek, Hayne, Johnson, Meyer, Porter, K. Robbins, Seifert, Stobie, Waldron.

Total 11

Absent or not voting: Burnett, Marks, South.
Total 3

Senate Amendments to House Bill No. 864 were concurred in by the following vote:

Ayes: Anderson, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 85

Noes: Gilligan, Vinger.
Total 2

Excused: Azzara, Baeth, Gesek, Hayne, Johnson, Meyer, Porter, K. Robbins, Seifert, Stobie, Waldron.
Total 11

Absent or not voting: Burnett, Marks.
Total 2

Senate Amendments to House Bill No. 875 were concurred in by the following vote:

Ayes: Anderson, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 86

Noes: None.
Total 0

Excused: Azzara, Baeth, Gesek, Hayne, Johnson, Meyer, Porter, K. Robbins, Seifert, Stobie, Waldron.
Total 11

Absent or not voting: Burnett, Jensen, Marks.
Total 3

Senate Amendments to House Joint Resolution No. 37 were concurred in by the following vote:

Ayes: Anderson, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda,

Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 87

Noes: None.
Total 0

Excused: Azzara, Baeth, Gesek, Hayne, Johnson, Meyer, Porter, K. Robbins, Seifert, Stobie, Waldron.
Total 11

Absent or not voting: Burnett, Marks.
Total 2

Senate Amendments to House Joint Resolution No. 43 were concurred in by the following vote:

Ayes: Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 83

Noes: Lory.
Total 1

Excused: Azzara, Baeth, Gesek, Hayne, Johnson, Meyer, Porter, K. Robbins, Seifert, Stobie, Waldron.
Total 11

Absent or not voting: Anderson, Burnett, Lund, Marks, Rosenthal.
Total 5

House Bill No. 342 (Statement of Intent) was concurred in by the following vote:

Ayes: Anderson, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, Roth, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 85

Noes: None.
Total 0

Excused: Azzara, Baeth, Gesek, Hayne, Johnson, Meyer, Porter, K. Robbins, Seifert, Stobie, Waldron.
Total 11

Absent or not voting: Burnett, Marks, Rosenthal, Sales.
Total 4

MOTIONS

Dussault moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on Governor's Amendments to SB 78. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on House Amendments to SB 170. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Brand in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 317 be concurred in. (70-0)

That SB 442 be concurred in. (66-4)

That Free CC on HB 230 be adopted. (72-0)

That SA to HB 616 be not concurred in. (66-0)

Gerke moved that SA to HB 197 be placed below SA to HB 382 on the Second Reading board. Motion carried.

That SA to HB 244 be concurred in. (71-2)

That SA to HB 365 be not concurred in. (44-34)

That SA to HB 382 be not concurred in. (69-5)

That SA to HB 197 be concurred in. (78-0)

That SA to HB 411 be concurred in. (71-0)

Bardanouve moved that SA to HB 437 be placed below SA to HB 766. Motion carried.

That SA to HB 494 be concurred in. (69-1)

Dussault moved that SA to HB 528 be placed below SA to HB 437. Motion carried.

That SA to HB 634 be not concurred in. (70-1)

Fagg moved that SA to HB 704 be placed below SA to HB 528. Motion carried.

That SA to HB 708 be not concurred in. (78-2)

That SA to HB 716 be concurred in. (76-4)

That SA to HB 733 be concurred in. (78-0)

Ramirez moved that SA to HB 766 pass consideration for the day. Motion carried.

That SA to HB 437 be concurred in. (73-2)

That SA to HB 528 be concurred in. (70-3)

That SA to HB 704 be concurred in. (74-1)

That SA to HB 768 be not concurred in. (70-2)

That SA to HB 787 be concurred in. (73-1)

That SA to HB 788 be concurred in. (70-0)

That SA to HB 800 (Statement of Intent) be concurred in. (76-0)

That SA to HB 803 be concurred in. (67-0)

That SA to HB 813 be concurred in. (67-0)

That SA to HB 851 be not concurred in. (81-0)

That SA to HB 859 be concurred in. (75-0)

That SA to HB 860 be concurred in. (77-0)

That SA to HB 870 be concurred in. (73-0)

That SA to HB 877 be not concurred in. (62-16)

That SA to HB 879 be not concurred in. (75-1)

That SA to HB 883 be not concurred in. (72-6)

That SA to HB 887 be concurred in. (76-0)

That SA to HB 900 be not concurred in. (76-0)

That SA to HJR 53 be concurred in. (76-1)

That the Committee rise and report. (Brand, Chairman). Brand moved that the committee report be deemed read. Motion carried. Report adopted. (80-0)

SPECIAL ORDERS OF THE DAY

"The Treasure Tones" a quartet from the 5-Valley Chorus of the Sweet Adelines in Missoula entertained the House members. The Treasure Tones were the 1977 Regional Champions of six northwestern states, and have competed twice internationally in London, England, and Los Angeles, California.

MESSAGES FROM THE OTHER HOUSE

The Senate on 3/30/79, dissolved the Conference Committee on House Amendments to Senate Bill No. 217 and appointed a Free Conference Committee to meet with a like committee from the House to confer on Senate Bill No. 217.

The President appointed the following members:

Senator B. Brown, Chairman

Senator Turnage
Senator Stimatz

MOTIONS

Dussault moved that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on HB 616. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to HB 365. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on: Senate Amendments to HB 708, Senate Amendments to HB 768, Senate Amendments to HB 851, Senate Amendments to HB 877. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on: HB 382, HB 634, HB 879, HB 883, HB 900. Motion carried.

UNFINISHED BUSINESS

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on Senate Bill No. 217:

Yardley, Chairman
Kemmis
Ramirez

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on House Amendments to Senate Bill No. 170:

Dassinger, Chairman
Oberg
Ellerd

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to House Bill No. 759:

Magone, Chairman
Bertelsen
Gesek

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to House Bill No. 737:

Keedy, Chairman
Harrington
Fabrega

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on House Joint Resolution No. 19:

Teague, Chairman
H. Robbins
Vinger

Dussault moved that the House adjourn until 1:30 p.m., April 2, 1979.

Motion carried.

House adjourned at 1:28 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

SEVENTY-FIFTH LEGISLATIVE DAY

Helena, Montana
April 2, 1979

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Ellison, Smith, excused; Stobie, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Sixty-seventh, Sixty-eighth and Sixty-ninth Legislative Days, find the same to be correct.

METCALF, Chairman

MESSAGES FROM THE GOVERNOR

The Honorable Harold Gerke
Speaker
House of Representatives
State Capitol
Helena, Montana 59601

3/31/79

Dear Mr. Speaker:

This is to inform you that I have signed the following measures this date:

House Bill Nos. 693, 698, 707, 714, 722, 741, 746 and 820.

Sincerely,

Thomas L. Judge
Governor

The Honorable Harold Gerke
Speaker
Montana House of Representatives
State Capitol
Helena, Montana 59601

3/31/79

Dear Mr. Speaker:

This is to inform you that I have signed the following measures this date:

House Bill Nos. 15, 23, 179, 208, 381, 473, 516, 531, 578, 599, 661, 686 and 687.

Sincerely,

Thomas L. Judge
Governor

The Honorable Harold Gerke
Speaker
House of Representatives
State Capitol
Helena, Montana 59601

3/31/79

Dear Mr. Speaker:

This is to inform you that I have signed the following measures this date:

House Bill Nos. 380, 481, 696, 755, 778, 827, 840 and 874.

Sincerely,

Thomas L. Judge
Governor

The Honorable William Mathers 3/30/79
President of the Senate
State Capitol
Helena, Montana 59601

The Honorable Harold Gerke
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear President Mathers and Speaker Gerke:

I am returning Senate Bill No. 70, "AN ACT TO PROVIDE THAT THE TRANSPORTATION OF BUILDINGS UNDER A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY CAN BE DONE ON A STATEWIDE BASIS AND MAY NOT BE RESTRICTED TO A PARTICULAR REGION OF THE STATE; PROVIDING RULEMAKING AUTHORITY.", without my signature for further action by the Senate and House.

Senate Bill No. 70, in Section 1, subsection 3, provides rulemaking authority for the Public Service Commission. According to Chapter 11 of the Joint Rules and Title 5, chapter 4, MCA, a statement of legislative intent should accompany legislation granting rulemaking authority. Because Senate Bill No. 70 contains rulemaking authority without a statement of legislative intent, I am returning it for your further action.

Sincerely,

Thomas L. Judge
Governor

The Honorable William Mathers 3/30/79
President of the Senate
State Capitol
Helena, Montana 59601

The Honorable Harold Gerke
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear President Mathers and Speaker Gerke:

In accordance with the power vested in me as Governor according to the Constitution and laws of the State of Montana, I hereby return Senate Bill No. 406, "AN ACT TO PERMIT A DEALER IN IMPLEMENTS OF HUSBANDRY OR PURCHASERS OF SAME TO TRANSPORT SUCH IMPLEMENTS ON SATURDAY AND SUNDAY; TO PROVIDE FOR THE PURCHASE OF AN OVERSIZE PERMIT BY SUCH DEALER FOR $75 TO COVER A PERIOD OF 1 YEAR; AMENDING SECTIONS

61-10-121, 61-10-122 AND 61-10-124, MCA", without my signature and recommend the attached amendments.

Senate Bill No. 406 is a bill which, as introduced, would allow a dealer in implements of husbandry and self-propelled machinery to obtain a term permit for the movement of overwidth and overlength vehicles. I agree with the need for such legislation as long as its application is restricted to dealers and farm vehicles.

However, an amendment was added to the bill to allow "purchasers of same" to also obtain the term permit. This would allow anyone, not just implement dealers, to obtain the term permit. This makes the exception far too broad and constitutes an unacceptable safety risk to the motoring public. My amendments would remove the references to purchasers and restore the bill to its introduced form.

I urge your concurrence in these amendments.

Sincerely,

Thomas L. Judge
Governor

PROPOSED AMENDMENTS TO SENATE BILL NO. 406

1. Title, line 6 after "HUSBANDRY"
Strike: "OR PURCHASERS OF THE SAME"

2. Page 2, line 15 after "machinery"
Strike: "OR PURCHASERS OF THE SAME"

3. Page 2, line 18 after "machinery"
Strike: "OR PURCHASERS OF THE SAME"

4. Page 4, line 1 after "machinery"
Strike: "OR PURCHASERS OF THE SAME"

5. Page 4, line 23 after "machinery"
Strike: "OR PURCHASERS OF THE SAME"

The Honorable Harold Gerke 3/31/79
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear Speaker Gerke:

This is to inform you that I have signed the following measures this date:

House Bill Nos. 316 and 553.

Sincerely,

Thomas L. Judge
Governor

MESSAGES FROM THE OTHER HOUSE

The Senate on 3/31/79, acceded to the request of the House of Representatives and appointed a Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 652.

The President appointed the following members:

Senator Lensink, Chairman
Senator Towe
Senator Anderson

House Amendments to Senate Bills concurred in: 3/31/79

House Amendments to Senate Bill No. 202, introduced by Van Valkenburg, Turnage, et al

House Amendments to Senate Bill No. 221, introduced by Turnage, S. Brown

House Amendments to Senate Bill No. 393, introduced by Towe

Governor's Amendments to Senate Bill concurred in and transmitted to the House for concurrence in Governor's Amendments: 3/31/79

Senate Bill No. 435, introduced by Mehrens, Healy, Peterson, Stimatz

House Bill not concurred in and returned to the House: 3/31/79

House Bill No. 882, introduced by Kemmis, Holmes, Vincent, Metcalf

House Bill concurred in and returned to the House: 3/31/79

House Bill No. 402, introduced by Uhde, Towe, Conroy, Keedy

House Bills concurred in as amended and returned to the House for concurrence in Senate Amendments: 3/31/79

House Bill No. 471, introduced by Fabrega, Roskie

House Bill No. 702, introduced by Fabrega, Ramirez, Moore, Kemmis, Tropila, Gilligan

The Senate on 3/31/79, acceded to the request of the House of Representatives and appointed a Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 237.

The President appointed the following members:

Senator Hazelbaker, Chairman
Senator Jergeson
Senator Ed Smith

The Senate on 3/31/79, acceded to the request of the House of Representatives and appointed a Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 570.

The President appointed the following members:

Senator Goodover, Chairman
Senator Dover
Senator Peterson

The Senate on 3/31/79, acceded to the request of the House of Representatives and appointed a Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 682.

The President appointed the following members:

Senator McCallum, Chairman
Senator Conover
Senator Severson

The Senate on 3/31/79, acceded to the request of the House of Representatives and appointed a Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 482.

The President appointed the following members:

Senator Roskie, Chairman
Senator Ryan
Senator Rasmussen

The Senate on 3/31/79, acceded to the request of the House of Representatives and appointed a Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 475.

The President appointed the following members:

Senator Hazelbaker, Chairman
Senator Blaylock
Senator Galt

The Senate on 3/31/79, acceded to the request of the House of Representatives and appointed a Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 442.

The President appointed the following members:

Senator Story, Chairman
Senator Thomas
Senator O'Hara

The Senate on 3/31/79, did not accede to the request of the House of Representatives for a Free Conference Committee on House Bill No. 248 but appointed a Conference Committee on Senate Amendments to House Bill No. 248 and the Senate requested that the House appoint a like committee to confer on Senate Amendments to House Bill No. 248.

The President appointed the following members:

Senator Lensink, Chairman
Senator Ryan
Senator Olson

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time and referred to committee:

HB 923, introduced by South. Referred to Committee on Appropriations.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Joint Resolution No. 61 was passed by the following vote:

Ayes: Baeth, Bardanouve, Bengtson, Bennett, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Dussault, Ellerd, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson,

Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lund, McBride, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, O'Connell, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Seifert, Shelden, South, Spilker, Staigmiller, Teague, Thoft, Uhde, Underdal, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 72

Noes: Anderson, Azzara, Brand, Conroy, Dassinger, Ellis, Fabrega, Johnston, Kanduch, Keedy, Lory, Magone, Manning, Moore, Oberg, Pavlovich, Rosenthal, Vincent, Yardley.
Total 19

Excused: Ellison, Smith.
Total 2

Absent or not voting: Bertelsen, Burnett, Manuel, Scully, Sivertsen, Stobie, Tropila.
Total 7

Senate Joint Resolution No. 32 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, South, Spilker, Staigmiller, Teague, Thoft, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: Bennett, Dussault, Holmes, Magone, Waldron.
Total 5

Excused: Ellison, Smith.
Total 2

Absent or not voting: Bertelsen, Oberg, Sivertsen, Stobie, Tropila.
Total 5

Free Conference Committee Report on HB 230 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Ellerd, Marks, Seifert.
Total 3

Excused: Ellison, Smith.
Total 2

Absent or not voting: Bertelsen, Hurwitz, Kropp, Roth, Stobie, Tropila.
Total 6

Senate Amendments to House Bill No. 197 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Ellison, Smith.
Total 2

Absent or not voting: Stobie, Tropila.
Total 2

Senate Amendments to House Bill No. 244 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Harper, Keedy, Kemmis, Reichert.
Total 4

Excused: Ellison, Smith.
Total 2

Absent or not voting: Bardanouve, Day, Stobie, Tropila.
Total 4

Senate Amendments to House Bill No. 411 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day,

Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Ellison, Smith.
Total 2

Absent or not voting: Feda, Stobie, Tropila.
Total 3

Senate Amendments to House Bill No. 437 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Ellerd, Keyser.
Total 2

Excused: Ellison, Smith.
Total 2

Absent or not voting: Nordtvedt, Stobie, Tropila.
Total 3

Senate Amendments to House Bill No. 494 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.

Total 93

Noes: Keedy.
Total 1

Excused: Ellison, Smith.
Total 2

Absent or not voting: Hand, Nordtvedt, Stobie, Tropila.
Total 4

Senate Amendments to House Bill No. 528 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Uhde, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: Dozier, Ellerd, Keyser, Roth, Underdal, Waldron.
Total 6

Excused: Ellison, Smith.
Total 2

Absent or not voting: Nordtvedt, O'Connell, Stobie, Tropila.
Total 4

Senate Amendments to House Bill No. 704 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 86

Noes: Ellerd, Hayne, Moore, Nathe, Sales.
Total 5

Excused: Ellison, Smith.
Total 2

Absent or not voting: Bengtson, Ernst, Hurwitz, Nordtvedt, H. Robbins, Stobie, Tropila.
Total 7

Senate Amendments to House Bill No. 716 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Uhde, Underdal, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 79

Noes: Bardanouve, Burnett, Dussault, Ellerd, Harper, Hayne, Hurwitz, Keedy, Kropp, Oberg, Pavlovich, K. Robbins, Roth, Sales, Schultz, Vincent.
Total 16

Excused: Ellison, Smith.
Total 2

Absent or not voting: Nordtvedt, Stobie, Tropila.
Total 3

Senate Amendments to House Bill No. 733 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Ellison, Smith.
Total 2

Absent or not voting: Nordtvedt, Stobie, Tropila.
Total 3

Senate Amendments to House Bill No. 787 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker,

Staigmiller, Teague, Thoft, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Burnett.
Total 1

Excused: Ellison, Smith.
Total 2

Absent or not voting: Johnson, Nordtvedt, Stobie, Tropila.
Total 4

Senate Amendments to House Bill No. 788 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Uhde, Underdal, Vincent, Vinger, Waldron, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Ellis, Hurwitz, Moore.
Total 3

Excused: Ellison, Smith.
Total 2

Absent or not voting: Bardanouve, Nordtvedt, Stobie, Tropila, Williams.
Total 5

Senate Amendments to House Bill No. 800 with Statement of Intent were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Johnson.
Total 1

Excused: Ellison, Smith.
Total 2

Absent or not voting: Jensen, Marks, Nordtvedt, Scully, Seifert, Stobie.

Total 6

Senate Amendments to House Bill No. 803 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Ellison, Smith.
Total 2

Absent or not voting: Pistoria, Stobie.
Total 2

Senate Amendments to House Bill No. 813 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Ellison, Smith.
Total 2

Absent or not voting: Feda, Hurwitz, Stobie, Vinger.
Total 4

Senate Amendments to House Bill No. 859 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen,

Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: Burnett, Roth.
Total 2

Excused: Ellison, Smith.
Total 2

Absent or not voting: Sales, Stobie.
Total 2

Senate Amendments to House Bill No. 860 were concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: Azzara, Frates.
Total 2

Excused: Ellison, Smith.
Total 2

Absent or not voting: Huennekens, Stobie.
Total 2

Senate Amendments to House Bill No. 870 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley.
Total 89

Noes: Lund, Rosenthal, Mr. Speaker.
Total 3

Excused: Ellison, Smith.

Total 2

Absent or not voting: Bardanouve, Holmes, Huennekens, Jensen, Lory, Stobie.
Total 6

Senate Amendments to House Bill No. 887 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Ellison, Smith.
Total 2

Absent or not voting: Feda, Stobie.
Total 2

Senate Amendments to House Joint Resolution No. 53 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Ellison, Smith.
Total 2

Absent or not voting: Kvaalen, Shelden, Stobie.
Total 3

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Vincent in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 46 be concurred in. (79-3)

That SB 265 be concurred in. (82-4)

That SB 368 be concurred in. Motion failed. (22-71)

That SB 368 be not concurred in. (75-19)

That SB 477 be concurred in. (86-0)

That HJR 58 do pass. (69-19)

That HJR 60 do pass. (82-5)

That Free CC on SB 155 be rejected. Motion failed. (40-57)

That Free CC on SB 155 be adopted. (57-40)

That GA to HB 457 be adopted. (73-14)

That GA to HB 684 be adopted. (77-16)

That SA to HB 766 be not concurred in. (93-0)

That SA to HB 150 be concurred in. (90-0)

That the Committee rise and report. (Vincent, Chairman). Vincent moved that the committee report be deemed read. Motion carried. Report adopted. (83-10)

REPORTS OF STANDING COMMITTEES

Dussault moved that all printing reports be deemed read this day. Motion carried.

BILLS (Metcalf, Chairman): 4/2/79

Correctly enrolled - HB 100, HB 112, HB 298, HB 363, HB 366, HB 371, HB 606, HB 836, HJR 11.

Examined by the Sponsor and found to be correct - HB 100, HB 112, HB 298, HB 363, HB 366, HB 371, HB 606, HB 836, HJR 11.

Will be signed by the Speaker on adjournment, 4/2/79 - HB 100, HB 112, HB 298, HB 363, HB 366, HB 371, HB 606, HB 836, HJR 11.

Signed by the Speaker on adjournment, 3/29/79 - HB 317, HB 779, HB 810, HJR 6.

Delivered to the Governor for his approval at 10:10 a.m., 4/2/79 - HB 762, HB 779, HB 810.

Do Pass

AGRICULTURE, LIVESTOCK AND IRRIGATION (Day, Chairman): 3/30/79

HJR 62, do pass. Report adopted.

Adverse Committee Reports

TAXATION (Huennekens, Chairman): 4/2/79

SB 167, be not concurred in.
SB 187, be not concurred in.

REPORTS OF SELECT COMMITTEES

JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 678
Report No. 1, March 30, 1979

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 678, met March 30, 1979, and considered:

1. Senate Committee of the Whole amendments to the third reading copy, dated March 9, 1979.

We recommend that:

1. the House accede to Committee of the Whole amendment numbers 1 through 7;

2. the Conference Committee Report to House Bill No. 678 be adopted.

FOR THE HOUSE:	FOR THE SENATE:
MANNING	LENSINK
PORTER	TOWE
PISTORIA	O'HARA

JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 608
Report No. 1, March 31, 1979

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 608, met March 31, 1979, and considered:

1. Senate Committee on Judiciary amendments to the third reading copy, dated March 8, 1979.

We recommend that:

1. the Senate recede from Committee amendment numbers 1, 2, and 3;

2. the reference (engrossed) copy of House Bill No. 608 read as specified in the CLERICAL INSTRUCTIONS;

3. the Conference Committee Report to House Bill No. 608 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 2, line 7.
Following: "~~MARIHUANA~~"
Strike: "MARIJUANA"
Insert: "marihuana"

2. Page 2, line 10.
Following: "~~10~~"
Strike: "5"
Insert: "10"

3. Page 2, line 14.

Following: "~~20~~"
Strike: "10"
Insert: "20"

FOR THE HOUSE:	FOR THE SENATE:
SCULLY	TURNAGE
GOULD	HEALY
ROSENTHAL	O'HARA

MESSAGES FROM THE OTHER HOUSE

The Senate on 4/2/79, requested the return of the following House Bill for further consideration:

House Bill No. 609, introduced by Tropila, Gilligan, Pistoria, et al

MOTIONS

Dussault moved that the House accede to the request of the Senate and return HB 609 for further consideration. Motion carried.

Dussault moved that the Free Conference Committee on HB 570 be dissolved and that the Senate Amendments to HB 570 be placed on Second Reading on the Seventy-sixth Legislative Day. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to HB 842. Motion carried.

Dussault moved that the Governor's Amendments to SB 435 be placed on Second Reading on the Seventy-sixth Legislative Day. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to HB 766. Motion carried.

UNFINISHED BUSINESS

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on Governor's Amendments to Senate Bill No. 78:

Scully, Chairman
Lory
Keedy

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on House Bill No. 900:

Williams, Chairman
Johnston
Nathe

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on House Bill No. 883:

Bardanouve, Chairman
Scully
Bertelsen

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on House Bill No. 879:

Scully, Chairman
Shelden
Thoft

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to House Bill No. 877:

Yardley, Chairman
Dussault
Seifert

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to House Bill No. 851:

H. Robbins, Chairman
Reichert
Spilker

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to House Bill No. 768:

Brand, Chairman
Keedy
Anderson

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to House Bill No. 708:

Gilligan, Chairman
Harper
Feda

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on House Bill No. 634:

Daily, Chairman
Oberg
Eudaily

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on House Bill No. 616:

McBride, Chairman
Waldron
Meyer

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to House Bill No. 365:

Kessler, Chairman
Azzara
Moore

Dussault moved that the House adjourn until 1:30 p.m., April 3, 1979.

Motion carried.

House adjourned at 3:44 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

SEVENTY-SIXTH LEGISLATIVE DAY

Helena, Montana
April 3, 1979

House Chambers
Capitol Building

House convened at 1:31 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Iverson, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Seventieth Legislative Day, find the same to be correct.

METCALF, Chairman

The Speaker Pro Tem in the Chair.

The Speaker back in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 4/3/79

Correctly printed - HJR 62.

Considered correctly engrossed - HJR 58, HJR 60.

Correctly enrolled - HB 14, HB 24, HB 57, HB 77, HB 124, HB 196, HB 259, HB 283, HB 295, HB 302, HB 329, HB 350, HB 420, HB 424, HB 436, HB 438, HB 454, HB 490, HB 532, HB 555, HB 566, HB 585, HB 596, HB 621, HB 675, HJR 21.

Delivered to the Governor for his approval at 3:35 p.m., 4/2/79 - HB 317.

Delivered to the Governor for his approval at 9:40 a.m., 4/3/79 - HB 82, HB 176, HB 260, HB 556, HB 597, HB 886.

Do Pass

APPROPRIATIONS (Bardanouve, Chairman): 4/3/79

HB 923, introduced bill, be amended as follows:

1. Page 6, line 1.
Following: "17-6-105"
Insert: ", unless the source of the money specifies deposit somewhere other than in the state treasury"

And as amended, do pass. Report adopted.

Adverse Committee Reports

Moore, Hurwitz, Porter, Wyrick, Ernst, Thoft, Curtiss, Vinger, Keyser, Sales objected that SB 167 was reported out of committee with a be not concurred in recommendation and requested that the bill be referred to Second Reading.

Moore, Hurwitz, Porter, Wyrick, Ernst, Thoft, Curtiss, Vinger, Keyser, Spilker objected that SB 187 was reported out of committee with a be not concurred in recommendation and requested that the bill be referred to Second Reading.

REPORTS OF SELECT COMMITTEES

JOINT CONFERENCE COMMITTEE
ON SENATE BILL NO. 504
Report No. 1, March 28, 1979

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Bill No. 504, met on March 28, 1979, and considered:

1. House Committee on Fish and Game amendments, dated March 8, 1979, third reading copy.

We recommend that:

1. the House recede from amendment numbers 1 through 4;

2. the reference copy of Senate Bill No. 504 read as specified in the CLERICAL INSTRUCTIONS;

3. the Conference Committee Report to Senate Bill No. 504 be adopted.

CLERICAL INSTRUCTIONS:

1. Title, line 6.
Following: "~~ANIMALS~~"
Insert: "AND TO WASTE FURS OR FUR-BEARING ANIMALS"

2. Page 1, lines 9 and 10.
Following: "~~animals~~"
Strike: "FAILURE TO ATTEND TRAPS — PENALTY"
Insert: "Wasting of fur-bearing animals"

3. Page 1, lines 11 and 12.
Following: "~~attends~~"
Strike: "ATTEND"
Insert: "pick up traps or snares at the end of the trapping season or attends"

4. Page 1, line 13.
Following: "~~wasted~~"
Insert: "so that furs or fur-bearing animals are wasted"

FOR THE HOUSE:	FOR THE SENATE:
DAY	E. SMITH
KROPP	VAN VALKENBURG
HOLMES	MANLEY

MESSAGES FROM THE GOVERNOR

The Honorable Harold Gerke 4/2/79
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear Speaker Gerke:

This is to inform your honorable body that I have signed House Bill 219, "AN ACT TO AMEND SECTION 20-4-213, MCA, TO MAKE THE LAW REQUIRING THAT CERTAIN TEACHERS OBTAIN INSTRUCTION IN AMERICAN INDIAN STUDIES PERMISSIVE RATHER THAN MANDATORY; PROVIDING AN IMMEDIATE EFFECTIVE DATE.", this date.

I firmly believe that those educators involved in an educational system which serves any minority should be aware of and versed in the culture of that minority group. I do not believe that this should only apply to American Indians in Montana, but to all minorities in our state.

House Bill 219 is the result of dissatisfaction with implementation of the present law and rules requiring Indian Studies of educators. I have

listened to both the proponents and opponents of the present system; and it is apparent to me that the present system is not working well.

My original intent was to amend this bill to require educators to gain their credits either before obtaining their degree or in the normal pursuit of their continuing education. However, similar amendments have been rejected by the Montana Legislature, as well as the delegate assembly of the Montana Education Association meeting in Helena on March 30th. In addition, it is questionable whether the title and intent of House Bill 219 would allow for amendments to be proposed.

I have been informed that testimony before the Senate Education Committee from the Montana School Board Association revealed that nine out of eleven school districts on or near reservations in Montana said they would either require credits or in-service training in American Indian Culture. The remaining two indicated they would have in-service training, but had not yet determined a program. All eleven school districts have voiced support for local school board control of the training. In addition, I have received assurance from legislative proponents of House Bill 219 that in-service training will be maintained in appropriate school districts.

Finally, I have always been a strong supporter of decision-making authority residing with local government. In Montana we have hundreds of locally-elected school boards made up of dedicated people who, over the years, have demonstrated a real sensitivity to the local needs of education. I am confident that our school boards will adhere to the intent and spirit of the Montana Constitution.

For these reasons, I have signed House Bill 219 into law. However, my signature must not be interpreted as an abdication of Montana's responsibilities to minority citizens and, particularly, American Indians. If I determine that school districts or educators are using this bill as a means to abdicate their responsibility in this area, I assure you that I will personally support legislation in the 1981 Session of the Montana Legislature that will correct the situation.

Sincerely,

Thomas L. Judge
Governor

The Honorable William Mathers 4/2/79
President of the Senate
State Capitol
Helena, Montana 59601

The Honorable Harold Gerke
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear President Mathers and Speaker Gerke:

I, Thomas L. Judge, in accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, do hereby veto Senate Bill No. 280, "AN ACT TO CLARIFY AND REVISE HOLIDAY AND LEAVE TIME FOR EMPLOYEES OF PUBLIC HOSPITAL DISTRICTS.".

Under existing law, employees of public hospital districts, like all other public employees of the state or its political subdivisions, enjoy ten holidays each year, eleven when there is a general election. Senate Bill 280

would reduce the number of holidays for employees of public hospital districts to six with additional holidays subject to negotiation.

The hospitals who would be affected by this bill are primarily small, rural hospitals who are struggling to survive. Since they are a vital part of many Montana communities, it is imperative that they do.

However, I cannot agree with legislation which would place the burden of insuring the future financial stability of public hospital districts on their employees. Inflation, increased operational costs, and federal regulations all conspire to raise hospital costs. The employee alone should not be singled out simply because he or she is the most accessible.

Recruitment and retention of personnel has been a problem for some small hospitals in the past. Certainly reduction of fringe benefits below that of all other public employees of the state for a job which is one of the most demanding in public service would only exacerbate that problem.

Senate Bill 280 is both unfair and discriminatory. For these reasons I hereby veto Senate Bill 280.

Sincerely,

Thomas L. Judge
Governor

The Honorable William Mathers
President of the Senate
State Capitol
Helena, Montana 59601

3/30/79

The Honorable Harold Gerke
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear President Mathers and Speaker Gerke:

In accordance with the power vested in me as Governor by the Constitution and laws of Montana, I hereby veto Senate Bill No. 500, "AN ACT TO AUTHORIZE THE CREATION OF HEALTH CARE FACILITIES LIABILITY PROTECTION TRUSTS."

As introduced, Senate Bill No. 500 authorized the formation of trusts by health care providers for the purpose of performing "all acts necessary or desirable for the conduct of the business of a public liability insurer", but exempting them from any of the provisions of the Montana Insurance Code or any restrictions imposed on investments to be made by the trustees under any Montana statute.

Certain amendments were made in the legislative process, mainly by placing the trusts under the provisions of Title 33. However, Title 33 is extremely broad in scope and since the amendments do not identify the specific code provisions to be applied, it is not clear how the trusts are to be regulated or taxed.

The Commissioner of Insurance, E.V. "Sonny" Omholt, has said that the bill would be extremely difficult, if not impossible, to administer. In a letter to me dated March 29, 1979, Commissioner Omholt stated: "The flagrant disregard for the insurance laws of the State of Montana, enacted for the sole purpose of protecting the general public from inadequately funded and improperly managed insurers,...make it imperative that I again express my objections to this legislation and strongly recommend a veto."

Under existing Montana law, enacted for the benefit of health care providers in 1977, such providers may organize themselves as a domestic insurance company for the purpose of transacting insurance. In this way the providers could gain the benefit of premium rates based on Montana's experience, without sacrificing the capital, reserve, and other regulatory requirements that the public interest requires.

While I am sympathetic to the financial plight and high insurance premiums many health care providers face, I do not feel that a poorly conceived arrangement without assurances of protection for the public is an acceptable solution to the problem.

For these reasons, I hereby veto Senate Bill No. 500.

Sincerely,

Thomas L. Judge
Governor

MESSAGES FROM THE OTHER HOUSE

Conference Committee Report adopted: 4/2/79

Conference Committee Report on Senate Bill No. 155

Free Conference Committee Report adopted: 4/2/79

Free Conference Committee Report on House Bill No. 230

The Senate on 4/2/79, acceded to the request of the House of Representatives and appointed a Free Conference Committee to meet with a like committee from the House to confer on House Joint Resolution No. 19.

The President appointed the following members:

Senator B. Brown, Chairman
Senator Regan
Senator Kolstad

The Senate on 4/2/79, acceded to the request of the House of Representatives and appointed a Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 594.

The President appointed the following members:

Senator Hazelbaker, Chairman
Senator Dover
Senator Peterson

The Senate on 4/2/79, acceded to the request of the House of Representatives and appointed a Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 416.

The President appointed the following members:

Senator Lockrem, Chairman
Senator Van Valkenburg
Senator Nelson

The Senate on 4/2/79, acceded to the request of the House of Representatives and appointed a Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 737.

The President appointed the following members:

Senator Turnage, Chairman
Senator S. Brown
Senator Galt

The Senate on 4/2/79, acceded to the request of the House of Representatives and appointed a Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 759.

The President appointed the following members:

Senator Roskie, Chairman
Senator Story
Senator Manley

MOTIONS

Dussault moved that the Conference Committee on Senate Amendments to HB 877 be dissolved, and that the Speaker be authorized to appoint a New Conference Committee of three on Senate Amendments to HB 877. Motion carried.

Dussault moved that SB 522 be taken from the Committee on Taxation and placed at the top of the Second Reading board this day. Considerable discussion followed. Smith moved the previous question. Motion carried. (53-46) Whereupon, Dussault's motion carried. (53-47)

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Scully in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 522, third reading copy, be amended as follows: (89-4)

1. Page 1, line 24.
Following: "accommodations,"
Strike: "including"
Insert: "such as homes,"

2. Page 1, line 25.
Following: "THAT"
Strike: "IS"
Insert: "are"

3. Page 2, line 1.
Following: "TAXATION"
Insert: "and that provide exclusive use of kitchen, dining, and bathroom facilities. 'Residence' does not include living accommodations such as rooming and boarding houses, fraternity and sorority houses, hotels, motels, nursing homes, group homes, dormitories, or other similar facilities"

4. Page 2, line 22.
Following: "taxpayers."

Insert: "With respect to the credit allowed in [section 3 (1)(b)], the forms shall require the applicant to certify the address of the rental property, the amount of rent paid during the qualifying period, and the person to whom the rent was paid."

And as amended, be concurred in. Motion failed. (47-53)

That SB 522, as amended, be not concurred in. (53-47)

That HJR 62 do pass. (77-4)

That CC on SA to HB 608 be adopted. (82-1)

That CC on SA to HB 678 be rejected. (49-42)

That GA to SB 435 be adopted. (88-0)

That SA to HB 471 be concurred in. (89-0)

That SA to HB 570 be concurred in. (83-5)

That SA to HB 702 be concurred in. (91-0)

That the Committee rise and report. (Scully, Chairman). Scully moved that the committee report be deemed read. Motion carried. Report adopted. (64-29)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 317 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Iverson.
Total 1

Absent or not voting: Ellerd, Keedy, Marks, Porter, Stobie, Waldron.
Total 6

Senate Bill No. 442 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen,

Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, Roth H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: Sales.
Total 1

Excused: Iverson.
Total 1

Absent or not voting: Sivertsen, Waldron.
Total 2

Conference Committee Report on House Amendments to Senate Bill No. 155 was adopted by the following vote:

Ayes: Anderson, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hand, Hayne, Hemstad, Hirsch, Iverson, Jensen, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Manuel, Marks, Meyer, Moore, Nathe, Porter, Ramirez, H. Robbins, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Spilker, Staigmiller, Stobie, Thoft, Tropila, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.
Total 56

Noes: Azzara, Baeth, Bardanouve, Brand, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Frates, Gesek, Gilligan, Harper, Harrington, Holmes, Huennekens, Hurwitz, Johnson, Keedy, Kemmis, Kessler, McBride, Magone, Manning, Menahan, Metcalf, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, K. Robbins, Rosenthal, Shelden, South, Teague, Uhde, Vincent, Yardley.
Total 41

Paired: Iverson, Aye; Dussault, No.

Excused: None.
Total 0

Absent or not voting: Nordtvedt, Smith, Waldron.
Total 3

Governor's Amendments to House Bill No. 457 were adopted by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Williams, Yardley, Mr. Speaker.
Total 87

Noes: Curtiss, Hayne, Keyser, Marks, Stobie, Wood, Wyrick.
Total 7

Excused: Iverson.
Total 1

Absent or not voting: Azzara, Cooney, Kropp, Uhde, Waldron.
Total 5

Governor's Amendments to House Bill No. 684 were adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Johnson, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Scully, Shelden, South, Spilker, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Wyrick, Yardley, Mr. Speaker.
Total 79

Noes: Burnett, Curtiss, Ellerd, Gould, Hayne, Hemstad, Holmes, Jensen, Johnston, Keyser, Roth, Sales, Seifert, Smith, Thoft, Wood.
Total 16

Excused: Iverson.
Total 1

Absent or not voting: Pistoria, Sivertsen, Stobie, Williams.
Total 4

Senate Amendments to House Bill No. 150 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: Bardanouve.
Total 1

Excused: Iverson.
Total 1

Absent or not voting: Spilker.
Total 1

House Joint Resolution No. 58 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hemstad, Hirsch, Holmes, Huennekens, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler,

Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Schultz, Shelden, Sivertsen, South, Spilker, Teague, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 71

Noes: Bennett, Bertelsen, Brand, Burnett, Conroy, Donaldson, Ellison, Feda, Hayne, Hurwitz, Jensen, Kvaalen, Marks, K. Robbins, Roth, Sales, Seifert, Staigmiller, Stobie, Underdal, Vinger, Wyrick.
Total 22

Excused: Iverson.
Total 1

Absent or not voting: Bardanouve, Ellerd, Harrington, Pistoria, Scully, Smith.
Total 6

House Joint Resolution No. 60 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Brand, Sales, Smith, Underdal.
Total 4

Excused: Iverson.
Total 1

Absent or not voting: Bardanouve, Ellerd.
Total 2

UNFINISHED BUSINESS

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on House Bill No. 382:

Bengtson, Chairman
H. Robbins
Porter

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to House Bill No. 766:

Harper, Chairman
Williams
Porter

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to House Bill No. 842:

Day, Chairman
Kemmis
Nathe

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to House Bill No. 877:

Keedy, Chairman
Conroy
Keyser

Dussault moved that the House adjourn until 2:00 p.m., April 4, 1979.

Motion carried.

House adjourned at 3:35 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

SEVENTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
April 4, 1979

House Chambers
Capitol Building

House convened at 2:00 p.m., Mr. Speaker in the Chair. Invocation by Representative Polly Holmes. Pledge of Allegiance to the Flag.

Roll call. All members present except Harper, Keyser, excused; Brand, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Seventy-first Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

Dussault moved that all printing reports be deemed read this day. Motion carried.

BILLS (Metcalf, Chairman): 4/4/79

Correctly printed - HB 923.

Correctly enrolled - HB 12, HB 342, HB 452, HB 453, HB 456, HB 460, HB 487, HB 488, HB 521, HB 571, HB 579, HB 603, HB 620, HB 688, HB 699, HB 712, HB 713, HB 717, HB 718, HB 749, HB 751, HB 783, HB 797, HB 819, HB 833, HB 850, HB 863, HB 864, HB 875, HJR 43, HJR 62.

Examined by the Sponsor and found to be correct - HB 12, HB 14, HB 24, HB 57, HB 77, HB 124, HB 196, HB 259, HB 283, HB 295, HB 302, HB 329, HB 342, HB 350, HB 420, HB 424, HB 436, HB 438, HB 452, HB 453, HB 454, HB 456, HB 460, HB 487, HB 488, HB 490, HB 521, HB 532, HB 555, HB 566, HB 571, HB 579, HB 585, HB 596, HB 603, HB 620, HB 621, HB 675, HB 688, HB 699, HB 712, HB 713, HB 717, HB 718, HB 749, HB 751, HB 783, HB 797, HB 819, HB 833, HB 850, HB 863, HB 864, HB 875, HJR 21, HJR 43.

Will be signed by the Speaker on adjournment, 4/4/79 - HB 12, HB 14, HB 24, HB 57, HB 77, HB 124, HB 196, HB 259, HB 283, HB 295, HB 302, HB 329, HB 342, HB 350, HB 420, HB 424, HB 436, HB 438, HB 452, HB 453, HB 454, HB 456, HB 460, HB 487, HB 488, HB 490, HB 521, HB 532, HB 555, HB 566, HB 571, HB 579, HB 585, HB 596, HB 603, HB 620, HB 621, HB 675, HB 688, HB 699, HB 712, HB 713, HB 717, HB 718, HB 749, HB 751, HB 783, HB 797, HB 819, HB 833, HB 850, HB 863, HB 864, HB 875, HJR 21, HJR 43, SB 88, SB 250, SB 271, SB 291, SB 323, SB 374, SB 431, SB 468, SB 481, SB 482, SB 520.

Signed by the Speaker on adjournment, 4/2/79 - HB 14, HB 24, HB 57, HB 77, HB 100, HB 112, HB 283, HB 298, HB 363, HB 366, HB 371, HB 420, HB 436, HB 532, HB 566, HB 606, HB 675, HB 836, HJR 11, HJR 21, SB 431, SB 468.

Signed by the Speaker on adjournment, 4/3/79 - HB 124, HB 196, HB 259, HB 295, HB 302, HB 329, HB 350, HB 424, HB 438, HB 454, HB 490, HB 555, HB 585, HB 596, HB 621, SB 250, SB 374.

Delivered to the Governor for his approval at 9:30 a.m., 4/4/79 - HB 100, HB 112, HB 298, HB 363, HB 366, HB 371, HB 606, HB 836.

Do Pass

APPROPRIATIONS (Bardanouve, Chairman): 4/4/79

SB 370, reference bill, be amended as follows:

1. Page 2, line 12.
Following: "~~distance~~"
Insert: "nautical"

2. Page 2, line 13.
Following: "~~twice~~"
Strike: "ONE AND ONE-HALF TIMES"
Insert: "~~twice~~"

And as amended, be concurred in. Report adopted.

SB 429, be concurred in. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Williams, Chairman): 4/3/79

SJR 35, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE
ON SENATE BILL NO. 497
Report No. 1, March 29, 1979

Mr. President and Speaker of the House:

We, your Free Conference Committee on Senate Bill No. 497, met on March 29, 1979, and considered:

1. House Committee on Fish and Game amendments, dated March 8, 1979, third reading copy; and

2. House Committee of the Whole amendment, dated March 16, 1979, reference bill.

We recommend that:

1. the House recede from Standing Committee amendment numbers 1 and 3 and the Senate accede to the Standing Committee amendment numbers 2 and 4;

2. the Senate accede to Committee of the Whole amendment number 1;

3. Senate Bill No. 497 be further amended as indicated in CLERICAL INSTRUCTION number 2;

4. the reference copy of Senate Bill No. 497 read as specified in the CLERICAL INSTRUCTIONS;

5. the Free Conference Committee Report to Senate Bill No. 497 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 3, line 12.
Following: "~~a year~~"
Strike: "a year"

2. Page 5.
Following: line 9
Strike: lines 10 through 18 in their entirety
Insert: "(3) Any person who is not permitted to engage in aerial hunting pursuant to [this act] who violates any provisions of [this act] is guilty of a misdemeanor, and upon conviction is punishable by a fine of not less than $250 or more than $1,000. A subsequent conviction under this subsection is punishable by a fine of not less that $500 or more than $1,000.

(4) The justice court has jurisdiction over violations of [this act]."
Renumber: subsequent subsections

FOR THE HOUSE: FOR THE SENATE:

METCALF M. ANDERSON
ELLISON MANLEY
HIRSCH VAN VALKENBURG

JOINT CONFERENCE COMMITTEE
ON SENATE BILL NO. 263
Report No. 1, March 30, 1979

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Bill No. 263, met on March 30, 1979, and considered:

1. House Committee on Local Government amendments, dated March 15, 1979, third reading copy.

We recommend that:

1. the House recede from Standing Committee amendment numbers 1 and 2;

2. the reference copy of Senate Bill No. 263 read as specified in the CLERICAL INSTRUCTIONS;

3. the Conference Committee Report to Senate Bill No. 263 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 1, line 11.
Following: "~~(1)~~"
Insert: "(1)"

2. Page 1.
Following: line 22
Insert: "(2) The whole cost so assessed shall at no time exceed the sum of $1.50 per lineal foot plus the cost of the pipe."

FOR THE HOUSE: FOR THE SENATE:

OBERG RASMUSSEN
REICHERT THOMAS
HURWITZ O'HARA

MESSAGES FROM THE OTHER HOUSE

Representative Harold E. Gerke 4/3/79
Speaker of the House

Dear Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate, on March 29, 1979, on motion duly carried, authorized me to appoint a Free Conference Committee on Senate Bill No. 78. The Senate respectfully requests that the House appoint a like committee to confer on Senate Bill No. 78.

There was a previous letter dated March 30, 1979 informing you of the Senate's failure to concur in the Governor's Amendments to Senate Bill No. 78 and the appointment of a Conference Committee. This letter is incorrect. Please disregard it.

Sincerely,

W. L. "Bill" Mathers
President of the Senate

The Senate on 4/3/79, acceded to the request of the House of Representatives and appointed a Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 900.

The President appointed the following members:

Senator E. Smith, Chairman
Senator Kolstad
Senator Thiessen

The Senate on 4/3/79, acceded to the request of the House of Representatives and appointed a Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 883.

The President appointed the following members:

Senator Roskie, Chairman
Senator S. Brown
Senator Lowe

The Senate on 4/3/79, acceded to the request of the House of Representatives and appointed a Free Conference Committee to meet with a like committee from the House on House Bill No. 879.

The President appointed the following members:

Senator Story, Chairman
Senator Peterson
Senator McCallum

The Senate on 4/3/79, acceded to the request of the House of Representatives and appointed a Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 877.

The President appointed the following members:

Senator Lensink, Chairman
Senator Anderson
Senator Towe

The Senate on 4/3/79, acceded to the request of the House of Representatives and appointed a Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 768.

The President appointed the following members:

Senator Severson, Chairman
Senator Hager
Senator Norman

The Senate on 4/3/79, acceded to the request of the House of Representatives and appointed a Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 708.

The President appointed the following members:

Senator Turnage, Chairman
Senator Graham
Senator Dover

The Senate on 4/3/79, acceded to the request of the House of Representatives and appointed a Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 634.

The President appointed the following members:

Senator B. Brown, Chairman
Senator Blaylock
Senator McCallum

The Senate on 4/3/79, acceded to the request of the House of Representatives and appointed a Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 365.

The President appointed the following members:

Senator Lockrem, Chairman
Senator Watt
Senator Rasmussen

The Senate on 4/3/79, acceded to the request of the House of Representatives and appointed a Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 382.

The President appointed the following members:

Senator Turnage, Chairman
Senator Regan
Senator Lockrem

Senate Bill No. 70 transmitted to the House for the purpose of adopting the Statement of Intent in the House. 4/3/79

Conference Committee Report adopted: 4/3/79

Joint Conference Committee Report on House Bill No. 678

Governor's Amendments to House Bills concurred in and returned to the House: 4/3/79

House Bill No. 334, introduced by Hirsch, Huennekens

House Bill No. 489, introduced by Bengtson

House Bill not concurred in and returned to the House: 4/3/79

House Bill No. 906, introduced by Gerke, Dussault, Vincent, Blaylock, Jergeson

House Bills concurred in as amended and returned to the House for concurrence in Senate Amendments: 4/3/79

House Bill No. 63, introduced by Dassinger

House Bill No. 461, introduced by Bertelsen

House Joint Resolution not concurred in as amended and returned to the House: 4/4/79

House Joint Resolution No. 44, introduced by Tropila, Gerke, Moore, et al

MOTIONS

Vincent moved that the Conference Committee on Senate Amendments to HB 678 be dissolved and a New Conference Committee be appointed. Motion carried.

Vincent moved that the Conference Committee on House Amendments to SB 78 be dissolved and that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on SB 78. Motion carried.

Vincent moved that the Conference Committee on Senate Amendments to HB 682 be dissolved and that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on HB 682. Motion carried.

Meyer moved that the Conference Committee on Senate Amendments to HB 482 be dissolved. Motion carried.

Day moved that the rules be suspended to allow the House to reconsider their action in failing to pass HB 745 on Second Reading on the Seventieth Legislative Day. Motion carried. (84-4)

Day moved that HB 745 be taken from Second Reading and referred to the Select Committee on Water. Motion carried.

Meyer moved that HB 482 be taken from the Conference Committee and put on Second Reading. Motion carried.

South moved that HB 891 be taken from the Select Committee on Employee Compensation and referred to the Committee on Appropriations. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House joint resolution was introduced, read first time and referred to committee:

HJR 66, introduced by Nordtvedt, Hirsch, Lien, Fabrega. Referred to Committee on Taxation.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Joint Resolution No. 62 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund,

McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Moore, Sales, Smith.
Total 3

Excused: Harper, Keyser.
Total 2

Absent or not voting: Brand, Burnett, Dussault, Oberg, Roth, Scully.
Total 6

Senate Bill No. 46 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Harper, Keyser.
Total 2

Absent or not voting: Brand, Burnett, Dussault, Scully, Spilker.
Total 5

Senate Bill No. 265 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Sales.
Total 1

Excused: Harper, Keyser.
Total 2

Absent or not voting: Brand, Burnett, Scully, Spilker.
Total 4

Senate Bill No. 477 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Harper, Keyser.
Total 2

Absent or not voting: Brand, Burnett, Cooney, Metcalf, Scully.
Total 5

Conference Committee Report on Senate Amendments to House Bill No. 608 was adopted by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Bardanouve, Holmes.
Total 2

Excused: Harper, Keyser.
Total 2

Absent or not voting: Azzara, Brand, Burnett, Scully.
Total 4

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Metcalf in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 923 do pass. (88-3)

Sivertsen moved that SB 167 be placed at the bottom of the Second Reading board this day. Motion carried.

That SB 187 be concurred in. Motion failed. (48-52)

That SB 187 be not concurred in. (50-49)

That CC on HA to SB 504 be adopted. (75-16)

Sivertsen moved that SB 167 pass consideration for the day. Motion carried.

That the Committee rise and report. (Metcalf, Chairman). Metcalf moved that the committee report be deemed read. Motion carried. Report adopted. (68-24)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Governor's Amendments to Senate Bill No. 435 were adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 88

Noes: Keedy, Moore, Underdal.
Total 3

Excused: Harper, Keyser.
Total 2

Absent or not voting: Bardanouve, Brand, Burnett, Nordtvedt, K. Robbins, Stobie, Wyrick.
Total 7

Senate Amendments to House Bill No. 471 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully,

Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Nathe, Roth, Stobie.
Total 3

Excused: Harper, Keyser.
Total 2

Absent or not voting: Bardanouve, Brand, Burnett.
Total 3

Senate Amendments to House Bill No. 570 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Hayne, Iverson, Keedy, Moore, Stobie.
Total 5

Excused: Harper, Keyser.
Total 2

Absent or not voting: Bardanouve, Brand, Burnett, Vinger.
Total 4

Senate Amendments to House Bill No. 702 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Frates, Smith.
Total 2

Excused: Harper, Keyser.
Total 2

Absent or not voting: Bardanouve, Bennett, Brand, Burnett, Vinger.
Total 5

MOTIONS

Dussault moved that the Governor's Statement of Intent to SB 70 be placed on Second Reading on the Seventy-eighth Legislative Day. Motion carried.

Dussault moved that the House adjourn until 1:30 p.m., April 5, 1979.

Motion carried.

House adjourned at 3:00 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

SEVENTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
April 5, 1979

House Chambers
Capitol Building

House convened at 1:29 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Baeth, Brand, Dussault, Spilker, Williams, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Seventy-second Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 4/5/79

Correctly printed - HR 3.

Considered correctly engrossed - HB 923.

Correctly enrolled - HB 197, HB 244, HB 402, HB 411, HB 437, HB 494, HB 528, HB 624, HB 704, HB 716, HB 733, HB 788, HB 800, HB 803, HB 813, HB 853, HB 860, HB 870, HB 887, HJR 37, HJR 53.

Examined by the Sponsor and found to be correct - HB 197, HB 244, HB 402, HB 411, HB 437, HB 494, HB 528, HB 624, HB 704, HB 716, HB 733, HB 788, HB 800, HB 803, HB 813, HB 853, HB 860, HB 870, HB 887, HJR 37, HJR 53.

Will be signed by the Speaker on adjournment, 4/5/79 - HB 197, HB 244, HB 402, HB 411, HB 437, HB 494, HB 528, HB 624, HB 704, HB 716, HB 733, HB 788, HB 800, HB 803, HB 813, HB 853, HB 859, HB 860, HB 870, HB 887, HJR 37, HJR 53, SB 356, SB 425, SB 462, SB 519.

Signed by the Speaker on adjournment, 4/4/79 - HB 12, HB 342, HB 452, HB 453, HB 456, HB 460, HB 487, HB 488, HB 521, HB 571, HB 579, HB 603, HB 620, HB 688, HB 699, HB 712, HB 713, HB 717, HB 718, HB 749, HB 751, HB 783, HB 797, HB 819, HB 833, HB 850, HB 863, HB 864, HB 875, HJR 43, SB 88, SB 271, SB 291, SB 323, SB 481, SB 482, SB 520.

Delivered to the Governor for his approval at 9:10 a.m., 4/5/79 - HB 12, HB 14, HB 24, HB 57, HB 77, HB 124, HB 196, HB 259, HB 283, HB 295, HB 302, HB 329, HB 342, HB 350, HB 420, HB 424, HB 436, HB 438, HB 452, HB 453, HB 454, HB 456, HB 460, HB 487, HB 488, HB 490, HB 521, HB 532, HB 555, HB 566, HB 571, HB 579, HB 585, HB 596, HB 603, HB 620, HB 621, HB 675, HB 688, HB 699, HB 712, HB 713, HB 717, HB 718, HB 749, HB 751, HB 783, HB 797, HB 819, HB 833, HB 850, HB 863, HB 864, HB 875.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Metcalf, Chairman): 4/6/79

Recommend that the following be employed by the House of Representatives for the 46th Session at the beginning of business April 2, 1979:

Regger Stone ..... Page

Charmaine Kauf ..... Page
Barbara Popp ..... Page
John Pavlovich ..... Page

At the beginning of business April 4, 1979:

Jane Syskowski ..... Page
Matt Brass ..... Page

At the close of business, March 31 and April 3, 1979:

Virginia Petersen ..... Page
Maureen Driscoll ..... Page
Florence Castro ..... Page
Sheila Kessler ..... Page
Edward Heil ..... Page
Jackie Lang ..... Page
Tom Flynn ..... Page
Steve Rorick ..... Page

Report adopted.

Do Pass

TAXATION (Huennekens, Chairman): 4/4/79
SJR 30, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

FREE JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 594
Report No. 1, April 2, 1979

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 594, met April 2, 1979, and considered:

1. Senate Committee of the Whole amendments to the third reading copy, dated March 8, 1979.

We recommend that:

1. the Senate recede from Committee of the Whole amendment numbers 1, 2, and 3;

2. House Bill No. 594 be further amended as indicated in CLERICAL INSTRUCTION numbers 1, 2, 3, and 4;

3. the reference (engrossed) copy of House Bill No. 594 read as specified in the CLERICAL INSTRUCTIONS;

4. the Conference Committee Report to House Bill No. 594 be adopted.

CLERICAL INSTRUCTIONS:

1. Title, lines 9 through 12.
Following: "~~SET~~"
Strike: remainder of line 9 through "COSTS" on line 12

2. Title, line 12.
Following: "AMENDING"
Strike: "SECTIONS"
Insert: "SECTION"

3. Title, line 13.
Strike: "AND 33-30-204"

4. Page 7, line 2 through line 4, page 8.
Strike: section 3 in its entirety
Renumber: subsequent section

FOR THE HOUSE:
SCULLY
MCBRIDE
SPILKER

FOR THE SENATE:
HAZELBAKER
DOVER
PETERSON

JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 708
Report No. 1, April 4, 1979

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 708, met April 3, 1979, and considered:

1. Senate Committee of the Whole amendments to the third reading copy, dated March 26, 1979.

We recommend that:

1. the Senate recede from Committee of the Whole amendment number 7 and the House accede to Committee of the Whole amendment numbers 1 through 6, 8, 9 and 10;

2. the reference (engrossed) copy of House Bill No. 708 read as specified in the CLERICAL INSTRUCTIONS;

3. the Conference Committee Report to House Bill No. 708 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 3, lines 11 through 17.
Strike: subsection (3) in its entirety

FOR THE HOUSE:
GILLIGAN
HARPER
FEDA

FOR THE SENATE:
TURNAGE
GRAHAM
DOVER

FREE JOINT CONFERENCE COMMITTEE
ON HOUSE JOINT RESOLUTION NO. 19
Report No. 1, April 4, 1979

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Joint Resolution No. 19, met April 4, 1979, and considered:

1. Senate Committee on State Administration amendments to the third reading copy, dated March 19, 1979.

We recommend that:

1. the Senate recede from Committee amendment numbers 1 and 2;

2. House Joint Resolution No. 19 be further amended as indicated in CLERICAL INSTRUCTION numbers 4 and 5;

3. the reference (engrossed) copy of House Joint Resolution No. 19 read as specified in the CLERICAL INSTRUCTIONS;

4. the Conference Committee Report to House Joint Resolution No. 19 be adopted.

CLERICAL INSTRUCTIONS:

1. Title, line 8.
Following: "ITS"
Strike: "CURRENT"

2. Title, line 9.
Following: "~~PERSONNEL~~"
Insert: "PERSONNEL"

3. Page 2, line 10.
Following: "its"
Strike: "CURRENT"
Following: "~~personnel~~"
Insert: "personnel"

4. Page 2, line 16.
Following: "Montana."
Insert: "The Department of Community Affairs is authorized to seek funding from federal, state, local, and private sources."

5. Page 2.
Following: line 20
Insert: "BE IT FURTHER RESOLVED, that the Department of Community Affairs shall report its findings to the 47th Legislature and make recommendations for draft legislation prior to October 30, 1980."

FOR THE HOUSE: FOR THE SENATE:

TEAGUE B. BROWN
H. ROBBINS REGAN
VINGER KOLSTAD

MESSAGES FROM THE OTHER HOUSE

Representative Harold Gerke 4/5/79
Speaker of the House

Dear Speaker:

Senator Olson is ill and will be excused from the Senate for an undetermined length of time; therefore, I have removed him from the Conference Committee on Senate Amendments to House Bill No. 248 and appointed Senator Anderson in his place.

Sincerely,

W. L. "Bill" Mathers
President of the Senate

The Senate on 4/4/79, did not accede to the request of the House of Representatives for a Free Conference Committee on House Bill No. 616 but did appoint a Conference Committee on Senate Amendments to House Bill No. 616. The Senate requested the House of Representatives to appoint a like committee to confer on Senate Amendments to House Bill No. 616.

The President appointed the following members:

Senator Roskie, Chairman
Senator Thomas
Senator Lockrem

The Senate on 4/4/79, dissolved the Conference Committee on House Amendments to Senate Bill No. 106 and appointed a Free Conference Committee to meet with a like committee from the House to confer on Senate Bill No. 106.

The President appointed the following members:

Senator B. Brown, Chairman
Senator S. Brown
Senator McCallum

The Senate on 4/4/79, acceded to the request of the House of Representatives and appointed a Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 851.

The President appointed the following members:

Senator Lockrem, Chairman
Senator Watt
Senator O'Hara

The Senate on 4/4/79, acceded to the request of the House of Representatives and appointed a Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 766.

The President appointed the following members:

Senator Lowe, Chairman
Senator Mehrens
Senator Aklestad

The Senate on 4/4/79, acceded to the request of the House of Representatives and appointed a Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 842.

The President appointed the following members:

Senator Galt, Chairman
Senator Story
Senator Manley

Conference Committee Report adopted: 4/4/79

Conference Committee Report on House Bill No. 608

House Bill not concurred in and returned to the House: 4/4/79

House Bill No. 837, introduced by Fagg

House Bill concurred in as amended and returned to the House for concurrence in Senate Amendments: 4/4/79

House Bill No. 727, introduced by Cooney

House Joint Resolution indefinitely postponed and returned to the House: 4/4/79

House Joint Resolution No. 56, introduced by Hemstad, Hazelbaker, Quilici

Governor's Amendments to Senate Bill adopted and transmitted to the House for concurrence: 4/4/79

Senate Bill No. 406, introduced by Conover, Jergeson, Graham, et al

House Bills concurred in and returned to the House: 4/4/79

House Bill No. 181, introduced by Marks

House Bill No. 191, introduced by Dussault, Blaylock, Vincent, Quilici, Kemmis, Gerke

House Bill No. 898, introduced by Vinger

The Senate on 4/4/79, requested the return of the following House Joint Resolution for further consideration:

House Joint Resolution No. 44, introduced by Tropila, Gerke, Moore, et al

MOTIONS

Dassinger moved that Senate Amendments to HB 63 be taken from Second Reading and referred to the Committee on Rules. Motion carried. (56-27)

Frates moved that the rules be suspended to allow the introduction of a bill concerning mandatory sentencing in bomb cases. Motion carried. (74-9)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 923 was passed by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Curtiss, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Hand, Harper, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Waldron, Wood, Wyrick, Yardley, Mr. Speaker.
Total 81

Noes: Conroy, Cooney, Harrington, McBride, Pavlovich, Smith, Uhde.
Total 7

Excused: Baeth, Brand, Dussault, Spilker, Williams.
Total 5

Absent or not voting: Burnett, Daily, Fagg, Gould, Holmes, Keedy, Seifert.
Total 7

Conference Committee Report on House Amendments to Senate Bill No. 504 was adopted by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harrington, Hemstad, Hirsch, Huennekens, Iverson, Jensen, Johnson, Kanduch, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Wood, Wyrick, Mr. Speaker.
Total 77

Noes: Conroy, Harper, Hayne, Hurwitz, Johnston, Keyser, Moore, Nathe, H. Robbins, Smith, Staigmiller, Stobie, Vinger, Yardley.
Total 14

Excused: Baeth, Brand, Dussault, Spilker, Williams.
Total 5

Absent or not voting: Burnett, Gould, Holmes, Keedy.
Total 4

Spilker present at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Vincent moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Harrington in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Gould present at this time.

That SB 167, third reading copy, be amended as follows: (75-11)

1. Page 2, line 1.
Strike: "1979"
Insert: "1978"

2. Page 2, line 4.
Following: "~~1978~~"
Strike: "1979"
Insert: "1978"

3. Page 2, line 11.
Following: "~~1978~~"
Strike: "1979"
Insert: "1978"

4. Page 2, line 15.
Following: "~~1978~~"
Strike: "1979"
Insert: "1978"

5. Page 2, line 23.
Following: "~~1978~~"
Strike: "1979"

Insert: "1978"

6. Page 3, line 2.
Following: "~~1978~~"
Strike: "1979"
Insert: "1978"

7. Page 3, line 21.
Strike: "1979"
Insert: "1978"

8. Page 7, line 19.
Following: "~~1978~~"
Strike: "1979"
Insert: "1978"

And as amended, be concurred in. Motion failed. (48-52)

That SB 167, as amended, be not concurred in. (50-48)

Schultz present at this time.

That SB 370 be concurred in. (83-7)

That SB 429 be concurred in. (87-1)

That SJR 35 be concurred in. (64-26)

That CC on HA to SB 263 be adopted. (87-3)

That Free CC on SB 497 be adopted. (70-14)

Vincent moved that the vote on the Statement of Intent to SB 70 be passed for the day. Motion carried.

That SA to HB 461 be not concurred in. (87-5)

That SA to HB 482 be concurred in. (89-0)

That the Committee rise and report. (Harrington, Chairman). Harrington moved that the Committee of the Whole Report be deemed read. Motion carried. Harrington moved adoption of the report. After some discussion, Lien moved that SB 167 be segregated from the report and, as amended, the report be adopted. Cooney called for a separation of the motion. The motion to segregate SB 167 failed. (49-50) The Committee of the Whole Report was then adopted. (54-42)

REPORTS OF STANDING COMMITTEES

Do Pass

APPROPRIATIONS (Bardanouve, Chairman): 4/4/79
SB 448, third reading copy, be amended as follows:

1. Title, line 5.
Following: "~~ADMINISTER~~"
Insert: "ESTABLISH AND"

2. Title.
Following: line 8
Insert: "ESTABLISHING A GUARANTEED STUDENT LOAN ACCOUNT WITHIN THE STATE TREASURY;"

3. Page 2, line 12.
Following: "(b)"
Strike: "One member"

Insert: "Two members"
Following: "be"
Strike: "a representative"
Insert: "representatives"

4. Page 2, line 13.
Following: "[section 3]."
Insert: "One must be a representative of higher education, and one must be a representative for the postsecondary vocational-technical centers."

5. Page 2, lines 19 and 20.
Strike: subsection (e) in its entirety
Renumber: subsequent subsection

6. Page 3, line 16.
Following: line 15
Strike: "8"
Insert: "9"

7. Page 3, line 20.
Following: "the"
Insert: "guaranteed"

8. Page 4, line 3.
Following: "program"
Strike: "operated"
Insert: "established by the board"

9. Page 4, line 4.
Following: "through"
Strike: "8"
Insert: "9"

10. Page 4, line 6.
Following: "TO"
Strike: "GUARANTEE"
Insert: "administer"

11. Page 4, line 9.
Following: "~~(1)~~"
Insert: "(1)"
Following: "~~establish~~"
Insert: "establish and"

12. Page 4.
Following: line 20
Insert: "(2) The board is designated as the state representative for receiving federal or public or private money that is now or will be made available under any act of the congress of the United States or otherwise for purposes of the guaranteed student loan program."

13. Page 4, line 23.
Following: "~~board~~"
Strike: "NONPROFIT CORPORATION. THE NONPROFIT CORPORATION"
Insert: "board. In discharging its duties in relation to the guaranteed student loan program, the board"

14. Page 5, line 1.
Following: "~~board~~"
Strike: "NONPROFIT CORPORATION"

Insert: "board"

15. Page 5, line 8.
Following: line 7
Strike: "NONPROFIT CORPORATION"
Insert: "board"

16. Page 5, line 11.
Following: line 10
Strike: "NONPROFIT CORPORATION"
Insert: "board"

17. Page 5, line 15.
Following: "program"
Strike: "."
Insert: ";"
Following: line 15
Insert: "(5) contract with a nonprofit corporation for the operation of the guaranteed student loan program to provide loan approval processing, essential and special loan servicing, preclaims assistance, claim processing and collections, and other services that would promote lender participation and loan availability to students;

(6) perform any other duties necessary for the administration of the guaranteed student loan program."

18. Page 5, line 20.
Following: "through"
Strike: "8"
Insert: "9"

19. Page 6.
Following: line 2
Insert: "SECTION 7. THERE IS A NEW MCA SECTION THAT READS:

Guaranteed student loan account. (1) There is a guaranteed student loan revolving account within the university student loan fund provided for in 17-2-102(11).

(2) The board shall credit to the account established in subsection (1) all money designated for the guaranteed student loan program by the United States or by any other public or private source. All expenses incurred by the board in connection with the guaranteed student loan program, including principal and interest payments required because of loan defaults, must be charged against the account.

(3) Money in the account not needed to meet current obligations of the board in the exercise of its responsibilities as guarantor, as provided for in [sections 3 through 9], must be invested in accordance with the provisions of Title 17, chapter 6. Interest proceeds must be credited to the account.

(4) Money on deposit in the guaranteed student loan account shall not revert to the general fund at the close of any fiscal year."

20. Page 7, line 10.
Following: "~~board~~"
Strike: "NONPROFIT CORPORATION"
Insert: "board"

21. Page 7, line 13.

Following: "~~board~~"
Strike: "NONPROFIT CORPORATION"
Insert: "board"

And as amended, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

FREE JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 237
Report No. 1, April 3, 1979

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 237, met April 3, 1979, and considered:

1. Senate Committee on Rules amendments to the third reading copy, dated March 21, 1979.

We recommend that:

1. the House accede to the Committee amendment numbers 1 through 3;

2. the Conference Committee Report to House Bill No. 237 be adopted.

FOR THE HOUSE:	FOR THE SENATE:
MANUEL	HAZELBAKER
MARKS	JERGESON
METCALF	E. SMITH

MESSAGES FROM THE GOVERNOR

The Honorable Harold Gerke 4/5/79
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

Please find enclosed two letters to replace the original letters transmitted to you on March 7, and March 26, 1979. It appears they were misplaced and the enclosed are needed to be printed in the House Journal.

You can be assured I signed the bills and filed them with the Secretary of State on the appropriate dates.

Sincerely,

Thomas L. Judge
Governor

The Honorable Harold Gerke 3/7/79
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that I have signed the following measure this date:

House Bill No. 415.

Sincerely,

Thomas L. Judge
Governor

The Honorable Harold Gerke 3/26/79
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that I have signed the following measures this date:

House Bill Nos. 234, 348, 352, 375, 463, 598, 618, 711, 780 and 817.

Sincerely,

Thomas L. Judge
Governor

MOTIONS

Vincent moved that the Conference Committee on House Amendments to SB 170 be dissolved and that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on SB 170. Motion carried.

Vincent moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to HB 461. Motion carried.

Tropila moved that the House accede to the request of the Senate and return HJR 44 for further consideration. Motion carried.

Vincent moved that HJR 64 be rereferred from the Select Committee on Employee Compensation to the Committee on Appropriations. Motion carried.

UNFINISHED BUSINESS

The Speaker appointed the following New Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to HB 678:

Scully, Chairman
Pistoria
Fabrega

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on HB 682:

Hand, Chairman
Keyser
Daily

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on SB 78:

Scully, Chairman
Lory
Keedy

MOTIONS

Brand moved that the Conference Committee on Senate Amendments to HB 768 be dissolved and that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on HB 768. Motion carried.

Dussault moved that the House adjourn until 3:30 p.m., April 6, 1979.

Motion carried.

House adjourned at 3:08 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

SEVENTY-NINTH LEGISLATIVE DAY

Helena, Montana
April 6, 1979

House Chambers
Capitol Building

House convened at 3:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Anderson, Cooney, Curtiss, Ellison, Fagg, Hemstad, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kessler, McBride, Metcalf, Nathe, Pavlovich, Quilici, Roth, Shelden, Staigmiller, Tropila, Williams, excused; Dussault, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Seventy-third, Seventy-fourth and Seventy-fifth Legislative Days, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 4/6/79

Signed by the Speaker on adjournment, 4/5/79 - HB 197, HB 244, HB 402, HB 411, HB 437, HB 494, HB 528, HB 624, HB 704, HB 716, HB 733, HB 788, HB 800, HB 803, HB 813, HB 853, HB 860, HB 870, HB 887, HJR 37, HJR 53, SB 356, SB 425, SB 462, SB 519.

Do Pass

APPROPRIATIONS (Bardanouve, Chairman): 4/6/79
SB 492, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 442
Report No. 1, April 3, 1979

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 442, met April 3, 1979, and considered:

1. Senate Committee on Local Government amendments to the third reading copy, dated March 19, 1979.

We recommend that:

1. the House accede to the Committee amendment number 1;

2. the Conference Committee Report to House Bill No. 442 be adopted.

FOR THE HOUSE:	FOR THE SENATE:
HIRSCH	STORY
YARDLEY	THOMAS
NATHE	O'HARA

JOINT CONFERENCE COMMITTEE
ON SENATE BILL NO. 2
Report No. 1, April 4, 1979

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Bill No. 2, met on April 4, 1979, and considered:

1. House Committee on Education amendments, dated March 13, 1979, third reading copy, second printing;

2. House Committee on Appropriations amendments, dated March 19, 1979, third reading copy, second printing; and

3. House Committee of the Whole amendments, dated March 21, 1979, third reading copy, second printing.

We recommend that:

1. the Senate accede to the Standing Committee amendments, dated March 13, 1979, numbers 1 through 48;

2. the Senate accede to the Standing Committee amendments, dated March 19, 1979, numbers 1 through 23;

3. the Senate accede to the Committee of the Whole amendments, dated March 21, 1979, numbers 1 through 4;

4. the reference copy of Senate Bill No. 2 remain unchanged;

5. the Conference Committee Report on Senate Bill No. 2 be adopted.

FOR THE HOUSE:	FOR THE SENATE:
GILLIGAN	MCCALLUM
LORY	MATHERS
MAGONE	BLAYLOCK

MESSAGES FROM THE GOVERNOR

The Honorable Harold Gerke 4/5/79
Speaker
House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that I have signed the following measures this date:

House Bill Nos. 317, 762, 779 and 810.

Sincerely,

Thomas L. Judge
Governor

MESSAGES FROM THE OTHER HOUSE

The Senate on 4/5/79, requested the return of the following House Joint Resolution for further consideration:

House Joint Resolution No. 56, introduced by Hemstad, Hazelbaker

The Senate on 4/5/79, dissolved the Conference Committee on Senate Bill No. 170 and appointed a Free Conference Committee on Senate Bill No. 170. The Senate requested that the House of Representatives appoint a like committee to meet with the Senate to confer on Senate Bill No. 170.

The President appointed the following members:

Senator Rasmussen, Chairman
Senator Towe
Senator Hager

The Senate on 4/5/79, acceded to the request of the House of Representatives and appointed a Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 682.

The President appointed the following members:

Senator McCallum, Chairman
Senator Conover
Senator Severson

The Senate on 4/5/79, acceded to the request of the House of Representatives and appointed a New Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 678.

The President appointed the following members:

Senator Turnage, Chairman
Senator Lensink
Senator S. Brown

House Bill and House Joint Resolution indefinitely postponed and returned to the House: 4/5/79

House Bill No. 609, introduced by Tropila, Gilligan, Pistoria, et al

House Joint Resolution No. 61, introduced by Ernst, Conover

House Bill not concurred in and returned to the House: 4/5/79

House Bill No. 502, introduced by Vincent, Tropila, Gerke, et al

Conference Committee Report adopted: 4/5/79

Conference Committee Report No. 1 on Senate Bill No. 504

MOTIONS

Vincent moved that the Governor's Amendments to SB 406 be placed on Second Reading on the Eightieth Legislative Day. Motion carried.

Vincent moved that the House accede to the request of the Senate and dissolve the Conference Committee on House Amendments to SB 106 and that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on SB 106. Motion carried.

Day moved that the Conference Committee on Senate Amendments to HB 842 be dissolved and that a Free Conference Committee of three to meet with a like committee from the Senate on HB 842 be appointed. Motion carried.

Anderson, Cooney, Curtiss, Ellison, Hurwitz, Iverson, Jensen, Johnston, Kessler, Fagg, McBride, Metcalf, Nathe, Pavlovich, Quilici, Roth, Staigmiller present at this time.

Burnett moved that the rules be suspended to allow the introduction of a Joint Resolution concerning statement of legislative intent in legislation passed during the Thirty-fourth Legislative Session. After considerable discussion, Scully requested a ruling of the Chair on the appropriateness of this legislature adopting a Statement of Intent for a bill passed by a previous session. More discussion followed and then Burnett withdrew his

motion and moved that the rules be suspended to allow the introduction of a bill to amend a law to investigate the intent of the legislation passed during the Thirty-fourth Legislative Session. Motion failed. (39-43)

Lund excused at this time.

Shelden present at this time.

Underdal moved that the rules be suspended to allow for the introduction of a House Joint Resolution to send to Cecil Andrus. Motion carried. (73-4)

Johnson present at this time.

Dussault moved that HJR 65 be rereferred from the Select Committee on Prisons to the Committee on Appropriations. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House resolution was introduced, read first time and referred to committee:

HR 4, introduced by Cooney, Harrington, Quilici, Menahan, McBride, Pavlovich, Daily, Kemmis, Gerke, Iverson, Manning, Magone, Reichert, Dussault, Ramirez, Vincent. Referred to Committee on State Administration.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Conference Committee Report on House Amendments to Senate Bill No. 263 was adopted by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Uhde, Vincent, Vinger, Waldron, Wood, Wyrick, Mr. Speaker.
Total 85

Noes: None.
Total 0

Excused: Hemstad, Lund, Tropila, Williams.
Total 4

Absent or not voting: Azzara, Bennett, Fabrega, Fagg, Kessler, Menahan, H. Robbins, Scully, Shelden, Underdal, Yardley.
Total 11

Free Conference Committee Report on Senate Bill No. 497 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier,

Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Kropp, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nordtvedt, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, K. Robbins, Roth, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Uhde, Vincent, Waldron, Wood, Wyrick, Yardley, Mr. Speaker.
Total 74

Noes: Burnett, Keedy, Keyser, Moore, Nathe, Pistoria, Rosenthal, Sales, Schultz, Seifert, Stobie, Thoft, Vinger.
Total 13

Excused: Hemstad, Lund, Tropila, Williams.
Total 4

Absent or not voting: Bennett, Fabrega, Fagg, Kvaalen, Oberg, H. Robbins, Scully, Shelden, Underdal.
Total 9

Senate Amendments to House Bill No. 482 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Uhde, Underdal, Vincent, Vinger, Waldron, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Hemstad, Lund, Tropila, Williams.
Total 4

Absent or not voting: Day, Fabrega, H. Robbins, Scully, Shelden.
Total 5

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 4/6/79

Correctly enrolled - HB 230, HB 570, HB 771, HB 785, HB 787, HB 859.

Examined by the Sponsor and found to be correct - HB 230, HB 570, HB 771, HB 785, HB 787, HB 859.

Will be signed by the Speaker on adjournment, 4/6/79 - HB 230, HB 570, HB 771, HB 785, HB 787, HB 859, SB 202, SB 232, SB 301, SB 390, SB 458, SJR 8.

Do Pass

APPROPRIATIONS (Bardanouve, Chairman): 4/6/79

HB 386, do pass. Report adopted.
HJR 64, do pass. Report adopted.

SELECT COMMITTEE ON WATER (Day, Chairman): 4/6/79
HB 745, second reading copy, be amended as follows:

1. Title, line 5.
Following: "RESOURCES"
Insert: "AND ADJUDICATION"
Following: "COMMITTEE"
Strike: "AND TO APPROPRIATE"
Insert: "; APPROPRIATING"

2. Title, line 6.
Following: "SUPPORT"
Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 1, line 9.
Following: "resources"
Insert: "and adjudication"

4. Page 1, line 11.
Following: "resources"
Insert: "and adjudication"

5. Page 1, line 21.
Following: "resources"
Insert: "and adjudication"

6. Page 2.
Following: line 9
Insert: "(3) The committee shall oversee the implementation of the water rights adjudication system as provided for in Title 85, chapter 2, and may make recommendations to agencies, courts, and the legislature relating to water adjudication as it considers necessary. Such recommendation may include proposals for legislation."

7. Page 2.
Following: line 18
Insert: "Section 5. Effective date. This act is effective on passage and approval."

And as amended, do pass. Report adopted.

SB 76, third reading copy, be amended as follows: 4/5/79

1. Title, line 8.
Following: "SECTIONS"
Strike: "3-1-101, 3-1-102, 3-1-1001, 3-1-1010, 19-5-301, 19-5-404"
Insert: "3-5-111,"

2. Title, line 10.
Strike: "85-2-405"

3. Pages 1 through 32.
Strike: all of the bill following the enacting clause
Insert: "**NEW SECTION**. Section 1. District court water divisions — water judges — creation. (1) To adjudicate existing water rights water divisions are established as defined in [section 2]. A water division shall be presided over by a water judge.

(2) A water judge shall be designated effective July 1, 1979, for each water division by a majority vote of a committee composed of

the senior judge in each judicial district wholly or partly within the division. A water judge must be a district judge of a judicial district wholly or partly within the water division. A district judge may not sit as a water judge in more than one division.

(3) No water judge may preside over matters concerning the determination and interpretation of existing water rights beyond the boundaries specified in [section 2] for his division.

(4) A water judge, when presiding over a water division, presides as district judge in and for each judicial district wholly or partly within the water division.

(5) The jurisdiction of each judicial district concerning the determination and interpretation of existing water rights is exercised exclusively by it through the water division or water divisions that contain the judicial district wholly or partly.

NEW SECTION. Section 2. Water divisions defined. (1) There are four water divisions whose boundaries are formed by the natural divides between drainages and the borders of the state of Montana and which are described as follows:

(a) The Yellowstone River Basin water division consists of those areas drained by the Yellowstone and Little Missouri Rivers and any remaining areas in Carter County.

(b) The lower Missouri River Basin water division consists of those areas drained by the Missouri River from below the mouth of the Marias River and any remaining areas in Glacier and Sheridan Counties.

(c) The upper Missouri River Basin water division consists of those areas drained by the Missouri River to below the mouth of the Marias River.

(d) The Clark Fork River Basin water division consists of the areas drained by the Clark Fork River, the Kootenai River, and any remaining areas in Lincoln County.

(2) Whenever a question arises concerning which water judge shall preside over adjudication of an existing right, the question shall be settled by the water judges involved.

NEW SECTION. Section 3. Appointment of water masters — qualifications — removal. (1) The water judge in each water division shall appoint a water master.

(2) A water master may be appointed after July 1, 1980, and must be appointed on or before July 1, 1982.

(3) In appointing a water master, the water judge shall consider a potential master's experience with water law, water use, and water rights.

(4) A water master shall serve at the pleasure of the water judge and may be removed by the water judge.

NEW SECTION. Section 4. Salary, expenses, and retirement of water masters. (1) The water judges shall set a uniform salary for water masters. Water masters shall receive expenses as provided in 2-18-501 through 2-18-503.

(2) A water master shall participate in the Montana Public Employees' Retirement System established in Title 19, chapter 3.

(3) The salary and expenses of a water master shall be paid from the water right adjudication account established in [section 18].

NEW SECTION. Section 5. Duties of water masters. (1) The water master has the general powers given to a master by M.R.Civ.P., Rule 53(c).

(2) Within a reasonable time after June 30, 1983, the water master shall issue a report to the water judge meeting the requirements for the preliminary decree as specified in [section 22].

(3) After a water judge issues a preliminary decree, the water master shall assist the water judge in the performance of the water division's further duties as ordered by the water judge.

NEW SECTION. Section 6. Jurisdiction of the water division. (1) When the department of natural resources and conservation files a copy of each statement of claim with the clerk of the district court as required by [section 11], the claim shall be considered filed in the judicial district of the county in which the diversion is made or, if there is a claimed right with no diversion, in the judicial district of the county in which the use occurs.

(2) The water judge for each division shall exercise jurisdiction over all matters concerning the determination and interpretation of existing water rights within his division as specified in [section 2] that are filed in a judicial district wholly or partly within the division.

(3) The water judge may consolidate all matters concerning the determination and interpretation of existing water rights within the water judge's division in any combination or groups of claims or matters for joint hearings or proceedings conducted by the water judge or water master in any location within the division. The water judge may make such consolidations as are necessary to administer the requirements of [this act] in adjudicating claims of existing water rights.

(4) All matters concerning the determination and interpretation of existing water rights shall be brought before or immediately transferred to the water judge in the proper water division unless witnesses have been sworn and testimony has been taken by a district court prior to October 1, 1979.

(5) The water judge of each water division may appoint and supervise a water commissioner as provided for in Title 85, chapter 5.

(6) The water judge of each water division may enforce the provisions of a final decree issued in that water division as provided in [section 24].

NEW SECTION. Section 7. Disqualification of water judges or water master. (1) A water judge may disqualify himself or the water master in any proceeding or pertinent portion thereof in which his or the water master's impartiality might reasonably be questioned.

(2) A water judge may also disqualify himself or the water master in the following circumstances:

(a) if he or the water master has a personal bias or prejudice concerning a party of personal knowledge or disputed evidentiary facts concerning the proceeding;

(b) if in private practice he or the water master served as a lawyer in the matter in controversy or a lawyer with whom he or the water master previously practiced law served during such association as a lawyer concerning the matter or the judge or the lawyer has been a material witness concerning it;

(c) if he or the water master has served in governmental employment and in such capacity participated as counsel, adviser, or material witness concerning the proceeding or expressed an opinion concerning the merits of the particular case in controversy;

(d) if he or the water master knows that he or the water master individually or as a fiduciary, or his or the water master's spouse or minor child residing in his or the water master's household has a financial interest in the subject matter in controversy or in a party to the proceeding or any other interest that could be substantially affected by the outcome of the proceeding; or

(e) if he or the water master or his or the water master's spouse or a person within the third degree of relationship to any of them (as calculated according to 72-11-101 through 72-11-105) or the spouse of such a person:

(i) is a party to the proceeding or an officer, director, or trustee of a party;

(ii) is known by the judge or water master to have an interest that could be substantially affected by the outcome of the proceeding;

(iii) is to the judge's or water master's knowledge likely to be a material witness in the proceeding.

(3) A water judge should inform himself about his and the water master's personal and fiduciary financial interests and make a reasonable effort to inform himself about the personal financial interests of his and the water master's spouse and minor children residing in his or the water master's respective household.

(4) For the purposes of this section, the following definitions apply:

(a) 'Proceeding' includes prehearing, hearing, appellate review, or other stages of adjudication conducted by the water master or water judge.

(b) 'Fiduciary' includes such relationships as executor, administrator, trustee, or guardian.

(c) 'Financial interest' means ownership of a legal or equitable interest, however small, or a relationship as director, advisor, or other active participant in the affairs of a party, except that:

(i) ownership in a mutual or common investment fund that holds securities is not a financial interest in such securities unless the judge or water master participates in the management of the fund;

(ii) an office in an educational, religious, charitable, fraternal, or civic organization is not a financial interest in securities held by the organization;

(iii) the proprietary interest of a policyholder in a mutual insurance company or a depositor in a mutual savings association or a similar proprietary interest is a financial interest in the organization only if the outcome of the proceeding could substantially affect the value of the interest; and

(iv) ownership of government securities is a financial interest in the issuer only if the outcome of the proceeding could substantially affect the value of the securities.

(5) A water judge may accept from the parties to the proceeding a waiver of any ground for disqualification if it is preceded by a full disclosure on the record of the basis for disqualification.

(6) The procedure for disqualification of a water judge or water master specified in this section is exclusive unless otherwise specifically altered by the Montana supreme court.

NEW SECTION. Section 8. Designation of water judge to fill vacancy. If a vacancy occurs, it shall be filled in the manner provided in [section 1] for the initial designation of a water judge. A vacancy is created when a water judge dies, retires, is not elected to a subsequent term, or is otherwise unable to complete his term as a district judge.

NEW SECTION. Section 9. Water judges — term of office. The term of office for water judges is from July 1, 1979, to June 30, 1985. After June 30, 1985, the term of office of a water judge is 4 years, subject to continuation of the water divisions by the legislature.

NEW SECTION. Section 10. Promulgation of rules and prescription of forms. The Montana supreme court may promulgate special rules of practice and procedure and shall prescribe forms for use in connection with [this act] in consultation with the water judge and the department.

NEW SECTION. Section 11. Claim of existing water right — filing statement of claim required — exemptions. (1) A person claiming an existing right, unless exempted below, shall file with the department no later than June 30, 1983, a statement of claim for each water right asserted on a form provided by the department.

(2) The department shall file a copy of each statement of claim with the clerk of the district court for the judicial district in which the diversion is made or, if there is a claimed right with no diversion, the department shall file a copy of the statement of claim with the clerk of the district court of the judicial district in which the use occurs.

(3) Claims for existing rights for livestock and individual as opposed to municipal domestic uses based upon instream flow or groundwater sources and claims for rights in the Powder River Basin included in a declaration filed pursuant to the order of the department or a district court issued under sections 8 and 9 of Chapter 452, Laws of 1973, are exempt from the filing requirements of subsection (1) of this section. Such claims may, however, be voluntarily filed.

NEW SECTION. Section 12. Department of fish and game to represent public recreational uses. The department of fish and game shall exclusively represent the public for purposes of establishing

any prior and existing public recreational use in existing right determinations under [sections 11 through 26], provided that the foregoing shall not exclude a federal governmental entity from representing the public for the purpose of establishing any prior and existing public recreational use in existing right determinations under [sections 11 through 26] and further provided that the foregoing shall not be construed in any manner as a legislative determination of whether or not a recreational use sought to be established prior to July 1, 1973, is or was a beneficial use.

NEW SECTION. Section 13. Statement of claim — contents. (1) The statement of claim for each right shall include substantially the following:

(a) the name and mailing address of the claimant;

(b) the name of the watercourse or water source from which the right to divert or make use of water is claimed, if available;

(c) the quantities of water and times of use claimed;

(d) the legal description, with reasonable certainty, of the point or points of diversion and places of use of waters;

(e) the purpose of use, including, if for irrigation, the number of acres irrigated;

(f) the approximate dates of first putting water to beneficial use for the various amounts and times claimed in subsection (c); and

(g) the sworn statement that the claim set forth is true and correct to the best of claimant's knowledge and belief.

(2) The claimant shall submit maps, plats, aerial photographs, decrees, or pertinent portions thereof, or other evidence in support of his claim. All maps, plats, or aerial photographs should show as nearly as possible to scale the point of diversion, place of use, place of storage, and other pertinent conveyance facilities.

NEW SECTION. Section 14. Abandonment by failure to file claim. The failure to file a claim of an existing right as required by [section 11] establishes a conclusive presumption of abandonment of that right.

NEW SECTION. Section 15. Claim to constitute prima facie evidence. A claim of an existing right filed in accordance with [section 11] constitutes prima facie proof of its content until the issuance of a final decree.

NEW SECTION. Section 16. Order to file claim. (1) The Montana supreme court shall on or before October 1, 1979, issue an order to file a statement of a claim of an existing water right in substantially the following form:

'WATER RIGHTS ORDER

FAILURE TO FILE A CLAIM AS REQUIRED BY LAW WILL RESULT IN A CONCLUSIVE PRESUMPTION THAT THE WATER RIGHT OR CLAIMED WATER RIGHT HAS BEEN ABANDONED. (This introductory sentence shall be printed in not less than 12-point boldface type.) This order is notice of commencement of procedures for the general adjudication of existing rights to the use of water and of the requirement to file a claim for certain

existing rights to the use of water. Every person, including but not limited to an individual, partnership, association, public or private corporation, city or other municipality, county, state agency or the state of Montana, and federal agency of the United States of America, asserting a claim to an existing right to the use of water arising prior to July 1, 1973, is ordered to file a statement of claim to that right with the department no later than June 30, 1983. Claims for stock and domestic uses based upon instream flow or groundwater sources are exempt from this requirement; however, claims for such uses may be voluntarily filed. Claims filed with the department in the Powder River Basin in a declaration filed pursuant to the order of the department of natural resources and conservation or a district court issued pursuant to sections 8 and 9 of Chapter 452, Laws of 1973, are also exempt.

For further information, contact the department of natural resources and conservation, Helena, Montana, for a copy of the law and an explanation of it.'

(2) Upon petition of the attorney general, the Montana supreme court may issue the order called for in subsection (1) with a shorter claim filing period of not less than 1 year in those basins or subbasins where state adjudication jurisdiction is being or is likely to be challenged.

NEW SECTION. Section 17. How notice of the order to be given. To assure that all persons who may claim an existing water right are notified of the requirement to file a claim of that right, the Montana supreme court shall give notice of the order as follows:

(1) It shall cause the order printed in not less than 10-point type to be placed in a prominent and conspicuous place in all daily newspapers of the state and in at least one newspaper published in each county of the state during the month of October 1979, and in April of 1980, 1981, 1982, and 1983.

(2) It shall cause the order in writing to be placed in a prominent and conspicuous location in each county courthouse in the state.

(3) It shall provide a sufficient number of copies of the order to the county treasurers before October 15, 1979, 1980, 1981, and 1982, and the county treasurers shall enclose a copy of the order with each statement of property taxes mailed in 1979, 1980, 1981, and 1982. In the implementation of this subsection, the department shall provide reimbursement to each county treasurer for the reasonable additional costs incurred by the treasurer arising from the inclusion of the order required by this section. The department shall be reimbursed for such costs from the water right adjudication account created by [section 18].

(4) It shall provide copies of the order in writing to the press services with offices located in Helena during July, 1979, and April of 1980, 1981, 1982, and 1983.

(5) It may also in its discretion give notice of the order in any other manner that will carry out the purposes of this section.

(6) It may also in its discretion order that the department or the water judge assist the Montana supreme court in the carrying out of this section.

NEW SECTION. Section 18. Fees special account created. (1) Each claim filed under [section 11] shall be accompanied by a filing fee in the amount of $40, subject to the following exceptions:

(a) the total filing fees for all claims filed by one person in any one water court district may not exceed $480; and

(b) no filing fee is required accompanying a claim of an existing right that is included in a decree of a court in the state of Montana and which is accompanied by a certified copy of that decree or pertinent portion thereof or verified as otherwise ordered by the court.

(2) There is established a water right adjudication account in the earmarked revenue fund of the state treasury. All fees collected under this section and [section 22] shall be deposited in the account to pay the expenses incurred by the state for administering [this act].

NEW SECTION. Section 19. Expenses to be borne by state. All expenses incurred by the state as a result of [this act] are to be paid from the water right adjudication account in the earmarked revenue fund established in [section 18]. Expenses include but are not limited to the salaries and expenses of personnel, equipment, office space, and other necessities incurred in administering [this act]. If sufficient revenue is not available from the earmarked revenue fund, the expense shall be paid from the state's general fund.

NEW SECTION. Section 20. Adjudication of existing rights. (1) The state of Montana upon relation of the attorney general shall petition the Montana supreme court to require all persons claiming a right within a water division to file a claim of the right as provided in [section 11].

(2) The requirement to file a claim for an existing right is the first step in proceedings for the general adjudication of all existing rights to the use of water.

(3) The water judge shall monitor the claim filing procedure for claims within his water division and make any orders necessary to assure timely and accurate compliance with the claim filing procedure.

NEW SECTION. Section 21. Department assistance to water judges. The department, subject to the direction of the water judge, shall, without cost to the judicial districts wholly or partly within his water division:

(1) provide such information and assistance as may be required by the water judge to adjudicate claims of existing rights;

(2) establish information and assistance programs to aid claimants in the filing of claims for existing rights required by [section 11];

(3) conduct field investigations of randomly selected claims or claims that the water judge in consultation with the department determines warrant investigation; and

(4) provide the water judge with all information in its possession bearing upon existing rights, including all declarations filed with and all information gathered by the department with respect to existing rights in the Powder River Basin.

NEW SECTION. Section 22. Preliminary decree. (1) Within a reasonable time after the close of the filing period, the water judge shall issue a preliminary decree. The preliminary decree shall be based on the statements of claim before the water judge, the data submitted by the department, and any additional data obtained by the water judge.

(2) The preliminary decree shall contain the information and make the determinations, findings, and conclusions required for the final decree under [section 24].

(3) If the water judge is satisfied that the report of the water master meets the requirements for the preliminary decree set forth in subsections (1) and (2), and is satisfied with the conclusions contained in the report, the water judge shall adopt the report as the preliminary decree. If the water judge is not so satisfied, he may, at his option, recommit the report to the master with instructions, or modify the report and issue the preliminary decree.

(4) The water judge shall send a copy of the preliminary decree to the department, and the water judge shall serve by mail a notice of availability of the preliminary decree to each person who has filed a claim of existing right, or, in the Powder River Basin, to each person who has filed a declaration of existing right. The water judge shall enclose with the notice an abstract of the disposition of such person's claimed or declared existing right. The notice of availability shall also be served upon those issued or having applied for and not having been denied a beneficial water use permit pursuant to 85-2-301, those granted a reservation pursuant to 85-2-316, or other interested persons who request service of the notice from the water judge. The clerk or person designated by the water judge to mail the notice shall make a general certificate of mailing certifying that a copy of the notice has been placed in the United States mail, postage prepaid, addressed to each party required to be served notice of the preliminary decree. Such certificate shall be conclusive evidence of due and legal notice of entry of decree.

(5) Any person may obtain a copy of the preliminary decree upon payment of a fee of $20 or the cost of printing, whichever is greater, to the water judge.

NEW SECTION. Section 23. Hearing on preliminary decree. (1) Upon objection to the preliminary decree by the department, a person named in the preliminary decree, or any other person, for good cause shown, the department or such person is entitled to a hearing thereon before the water judge.

(2) If a hearing is requested, such request must be filed with the water judge within 90 days after notice of entry of the preliminary decree. The water judge may, for good cause shown, extend this time limit an additional 30 days if application for the extension is made within 90 days after notice of entry of the preliminary decree.

(3) The request for a hearing shall contain a precise statement of the findings and conclusions in the preliminary decree with which the department or person requesting the hearing disagrees. The request shall specify the paragraphs and pages containing the findings and conclusions to which objection is made. The request shall state the specific grounds and evidence on which the objections are based.

(4) Upon expiration of the time for filing objections and upon timely receipt of a request for a hearing, the water judge shall notify each party named in the preliminary decree that a hearing has been requested. The water judge shall fix a day when all parties who wish to participate in future proceedings must appear or file a statement. The water judge shall then set a date for a hearing. The water judge may conduct individual or consolidated hearings. A hearing shall be conducted as for other civil actions. At the order of the water judge a hearing may be conducted by the water master, who shall prepare a report of the hearing as provided in M.R.Civ.P., Rule 53(e).

NEW SECTION. Section 24. Final decree. (1) The water judge shall, on the basis of the preliminary decree and on the basis of any hearing that may have been held, enter a final decree affirming or modifying the preliminary decree. If no request for a hearing is filed within the time allowed, the preliminary decree automatically becomes final, and the water judge shall enter it as the final decree.

(2) The final decree shall establish the existing rights and priorities within the water judge's jurisdiction of persons required by [section 11] to file a claim for an existing right and of persons required to file a declaration of existing rights in the Powder River Basin pursuant to an order of the department or a district court issued under sections 8 and 9 of Chapter 452, Laws of 1973.

(3) The final decree shall state the findings of fact, along with any conclusions of law, upon which the existing rights and priorities of each person named in the decree are based.

(4) For each person who is found to have an existing right, the final decree shall state:

(a) the name and post-office address of the owner of the right;

(b) the amount of water, rate, and volume, included in the right;

(c) the date of priority of the right;

(d) the purpose for which the water included in the right is used;

(e) the place of use and a description of the land, if any, to which the right is appurtenant;

(f) the source of the water included in the right;

(g) the place and means of diversion;

(h) the inclusive dates during which the water is used each year;

(i) any other information necessary to fully define the nature and extent of the right.

NEW SECTION. Section 25. Appeals from final decree. A person whose existing rights and priorities are determined in the final decree may appeal the determination only if:

(1) he requested a hearing and appeared and entered objections to the preliminary decree; or

(2) his rights as determined in the preliminary decree were altered as the result of a hearing requested by another person.

NEW SECTION. Section 26. Certificate of water right. When a final decree is entered, the water judge shall send a copy to the

department. The department shall on the basis of the final decree issue a certificate of water right to each person decreed an existing right. The original of the certificate shall be sent to the county clerk and recorder of the county where the point of diversion or place of use is located for recordation. The department shall keep a copy of the certificate in its office in Helena. After recordation, the clerk and recorder shall send the certificate to the person to whom the right is decreed.

NEW SECTION. Section 27. Legislative intent regarding federal and Indian water rights — compacts — negotiation authorized — procedure. (1) It is the intent of the legislature that the attorney general include all federal and Indian interests in the petition required in [section 16] under authority granted the state by 43 U.S.C. 666. However, it is further intended that the state of Montana proceed under the provisions of this section to conclude compacts for the equitable division and apportionment of waters between the state and its people and the several federal interests and Indian tribes claiming reserved water rights within the state. During the 3-year period from the time of filing the petition required in [section 16], and while negotiations for the conclusion of a compact under this section are being pursued, all actions to adjudicate reserved federal and Indian water rights under [this act] are suspended.

(2) The compact commission may negotiate with the federal government and Indian tribes jointly or severally to conclude compacts authorized under subsection (1). When the compact commission and authorized representatives of the federal government or Indian tribes have agreed to a compact, they shall sign a copy and file an original copy with the department of state of the United States of America and copies with the secretary of state of Montana and if the compact is with an Indian tribe, with the tribal council for the tribe involved. The compact is effective and binding upon all parties upon ratification by the legislature of Montana, any affected tribal council, and the congress of the United States. The water judge shall include in the preliminary decree the contents of a compact that has been agreed upon by the parties to the compact whether or not it has been ratified by congress.

(3) (a) There is created a reserved water rights compact commission. Commissioners are appointed as follows:

(i) two members of the house of representatives appointed by the speaker, each from a different political party;

(ii) two members of the senate appointed by the president, each from a different political party;

(iii) one member designated by the governor;

(iv) one member designated by the attorney general; and

(v) one member from the department of natural resources and conservation designated by the director.

(b) Legislative members of the commission are entitled to receive compensation and expenses as provided in 5-2-301 for each day actually spent on commission business. Other members are entitled to salary and expenses as state employees.

(c) The commission is attached to the governor's office for administrative purposes only. The costs of the commission shall be paid

from funds appropriated for that purpose from the water right adjudication account established in [section 19].

(d) Members appointed to the commission shall serve until the work of the commission is completed or until they resign or are otherwise unable to serve. A vacancy must be filled in the manner of the original appointment.

Section 28. Section 3-5-111, MCA, is amended to read:

'3-5-111. District courts presided over by judges of other districts. A judge of the district court of any judicial district may hold the district court in any county of another district than his own at the request of the judge thereof or as otherwise provided by law. Upon the request of the governor, it is his duty to do so. In either case the judge holding the court has the same power either in court or chambers as a judge thereof.'

Section 29. Section 85-2-102, MCA, is amended to read:

'85-2-102. Definitions. Unless the context requires otherwise, in this chapter the following definitions apply:

(1) "Appropriate" means to divert, impound, or withdraw (including by stock for stock water) a quantity of water or, in the case of a public agency, to reserve water in accordance with 85-2-316.

(2) "Beneficial use" means a use of water for the benefit of the appropriator, other persons, or the public, including but not limited to agricultural (including stock water), domestic, fish and wildlife, industrial, irrigation, mining, municipal, power, and recreational uses. A use of water for slurry to export coal from Montana is not a beneficial use. Slurry is a mixture of water and insoluble matter.

(3) "Board" means the board of natural resources and conservation provided for in 2-15-3302.

(4) "Certificate" means ~~the~~ a certificate of water right issued by the department ~~under 85-2-210, subsections (1) and (2) of 85-2-306, and 85-2-315~~.

(5) "Declaration" means the declaration of an existing right filed with the department under ~~85-2-203~~ section 8, Chapter 452, Laws of 1973.

(6) "Department" means the department of natural resources and conservation provided for in Title 2, chapter 15, part 33.

(7) "Existing right" means a right to the use of water which would be protected under the law as it existed prior to July 1, 1973.

(8) "Groundwater" means any water beneath the land surface or beneath the bed of a stream, lake, reservoir, or other body of surface water, and which is not a part of that surface water.

(9) "Permit" means the permit to appropriate issued by the department under 85-2-301 through 85-2-303 and 85-2-306 through 85-2-314.

(10) "Person" means an individual, association, partnership, corporation, state agency, political subdivision, the United States or any agency thereof, or any other entity.

(11) "Political subdivision" means any county, incorporated city or town, public corporation, or district created pursuant to state law or

other public body of the state empowered to appropriate water but not a private corporation, association, or group.

(12) "Senior judge in each judicial district" means the judge in the district who has served, with or without interruption, for the longest period of time.

~~(12)~~(13) "Waste" means the unreasonable loss of water through the design or negligent operation of an appropriation or water distribution facility or the application of water to anything but a beneficial use.

~~(13)~~(14) "Water" means all water of the state, surface and subsurface, regardless of its character or manner of occurrence, including geothermal water and diffuse surface water.

(15) "Water division" means a drainage basin as defined in [section 2].

(16) "Water judge" means a judge as provided for in [sections 1 through 10].

(17) "Water master" means a master as provided for in [sections 1 through 10].

~~(14)~~(18) "Well" means any artificial opening or excavation in the ground, however made, by which groundwater is sought or can be obtained or through which it flows under natural pressures or is artificially withdrawn.'

Section 30. Section 85-2-112, MCA, is amended to read:

'85-2-112. Department duties. The department shall:

(1) enforce and administer this chapter and rules adopted by the board under 85-2-113;

(2) prescribe procedures, forms, and requirements for applications, permits, certificates, declarations, claims of existing rights, and proceedings under this chapter and prescribe the information to be contained in any application, declaration, claim of existing right, or other document to be filed with the department under this chapter not inconsistent with the requirements of this chapter;

(3) establish and keep in its Helena office a centralized record system of all existing rights and a public record of permits, certificates, declarations, claims of existing rights, applications, and other documents filed in its office under this chapter;

(4) cooperate with, assist, advise, and coordinate plans and activities with the federal, state, and local agencies in matters relating to this chapter;

(5) upon request by any person, cooperate with, assist, and advise that person in matters pertaining to measuring water or filing declarations with the department or claims of existing rights with a district court under this chapter.'

Section 31. Section 85-2-113, MCA, is amended to read:

'85-2-113. Board powers and duties. (1) The board may prescribe fees or service charges for any public service rendered by the department under this chapter, including fees for the filing of applications or for the issuance of permits and certificates. There shall

be no fees for the filing of declarations or for any action taken by the department at the request of the water judge or for the issuance of certificates of existing rights.

(2) The board may adopt rules necessary to implement and carry out the purposes and provisions of this chapter. These rules may include but are not limited to rules to:

(a) govern the issuance and terms of interim permits authorizing an applicant for a regular permit under this chapter to begin appropriating water immediately, pending final approval or denial by the department of the application for a regular permit;

(b) require the owner or operator of appropriation facilities to install and maintain suitable controlling and measuring devices;

(c) require the owner or operator of appropriation facilities to report to the department the readings of measuring devices at reasonable intervals and to file reports on appropriations; and

(d) regulate the construction, use, and sealing of wells to prevent the waste, contamination, or pollution of groundwater.

(3) The board shall adopt rules providing for and governing temporary emergency appropriations, without prior application for a permit, necessary to protect lives or property.'

Section 32. Section 85-2-114, MCA, is amended to read:

'85-2-114. Prevention of waste. (1) If the department ascertains, by a means reasonably considered sufficient by it, that a person is wasting water, using water unlawfully, or preventing water from moving to another person having a prior right to use the same, it may petition the district court supervising the distribution of water among appropriators from the source to:

(a) regulate the controlling works of an appropriation as may be necessary to prevent the wasting or unlawful use of water or to secure water to a person having a prior right to its use; or

(b) order the person wasting, unlawfully using, or interfering with another's rightful use of the water to cease and desist from doing so and to take such steps as may be necessary to remedy the waste, unlawful use, or interference.

(2) The department may attach to the controlling works a written notice, properly dated and signed, setting forth the fact that the controlling works have been properly regulated by it, which notice shall be legal notice to all persons interested in the appropriation or distribution of the water.

(3) The department may also direct its own attorney or request the attorney general or county attorney to bring suit to enjoin such waste, unlawful use, or interference.'

Section 33. Section 85-2-401, MCA, is amended to read:

'85-2-401. Priority. (1) As between appropriators, the first in time is the first in right. Priority of appropriation does not include the right to prevent changes by later appropriators in the condition of water occurrence, such as the increase or decrease of streamflow or the lowering of a water table, artesian pressure, or water level, if the prior appropriator can reasonably exercise his water right under the changed conditions.

(2) Priority of appropriation made under this chapter dates from the filing of an application for a permit with the department, except as otherwise provided in 85-2-301 through 85-2-303, 85-2-306, 85-2-310(3), and 85-2-313.

(3) Priority of appropriation perfected before July 1, 1973, shall be determined as provided in ~~85-2-201 through 85-2-210~~ part 2 of this chapter.'

Section 34. Section 85-2-406, MCA, is amended to read:

'85-2-406. District court supervision of water distribution. (1) The district courts shall supervise the distribution of water among all appropriators. This supervisory authority includes the supervision of all water commissioners appointed prior or subsequent to July 1, 1973. The supervision shall be governed by the principle that first in time is first in right.

(2) When a water distribution controversy arises upon a source of water in which existing rights have not been determined according to ~~85-2-201 through 85-2-210~~ part 2 of this chapter, any party to the controversy may petition the district court for relief. ~~The department shall be served with process in any proceeding under this subsection and shall, within a reasonable time thereafter, notify the court whether it intends in its discretion, within a reasonable time, to begin proceedings to determine existing rights in the source, in accordance with part 2 of this chapter. The department may, if it declines to commence proceedings to determine existing rights in the source, intervene as a party in the proceeding.~~ The district court from which relief is sought may grant such injunctive or other relief which is necessary and appropriate to preserve property rights or the status quo pending the ~~department's decision whether to determine existing rights in the source or the department's decision to intervene as a party, as the case may be. If the department does not proceed to obtain a determination of existing rights, the district court shall settle only the controversy between the parties~~ issuance of the final decree.

(3) A controversy between appropriators from a source which has been the subject of a general determination of existing rights under ~~85-2-201 through 85-2-210~~ part 2 of this chapter shall be settled by the district court which issued the final decree. The order of the district court settling the controversy may not alter the existing rights and priorities established in the final decree. In cases involving permits issued by the department, the court may not amend the respective rights established in the permits or alter any terms of the permits unless the permits are inconsistent or interfere with rights and priorities established in the final decree. The order settling the controversy shall be appended to the final decree, and a copy shall be filed with the department. The department shall be served with process in any proceeding under this subsection, and the department may, in its discretion, intervene in the proceeding.'

Section 35. Codification. (1) Sections 1 through 10 of this act are intended to be codified as an integral part of Title 3, and the provisions contained in Title 3 apply to this act.

(2) Sections 11 through 27 are intended to be codified as an integral part of Title 85, chapter 2, part 2, and the provisions contained in Title 85, chapter 2, apply to this act.

(3) If the provisions of this act are not codified as stated above, the code commissioner shall add to the MCA, if necessary, statutory language to convey the intent of this section.

Section 36. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

Section 37. Repealer. Sections 85-2-201 through 85-2-210, MCA, are repealed.

Section 38. Effective date. This act is effective on passage and approval."

And as amended, be concurred in. Report adopted.

Adverse Committee Reports

APPROPRIATIONS (Bardanouve, Chairman): 4/6/79
SB 319, be not concurred in.
HB 211, do not pass.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Daily in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 448 be concurred in. (78-9)

Huennekens moved that SJR 30 pass consideration for the day. Motion carried.

That Free CC on HB 237 be adopted. (79-0)

Lund present at this time.

That Free CC on HB 594 be adopted. (85-2)

That CC on SA to HB 708 be adopted. (87-0)

That Free CC on HJR 19 be adopted. (81-8)

That SB 70 with Statement of Intent be concurred in. (90-2)

That SA to HB 727 be concurred in. (89-3)

That the Committee rise and report. (Daily, Chairman). Daily moved that the committee report be deemed read. Motion carried. Meyer moved that SB 448 be segregated from the Committee of the Whole Report. Motion failed. (27-57) Report adopted. (81-2)

REPORTS OF SELECT COMMITTEES

FREE JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 682
Report No. 1, April 6, 1979

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 682, met April 6, 1979, and considered:

1. Senate Committee of the Whole amendments to the third reading copy, dated March 23, 1979.

We recommend that:

1. the Senate recede from Committee of the Whole amendment number 1;

2. House Bill No. 682 be further amended as indicated in CLERICAL INSTRUCTION numbers 1 and 3;

3. the reference (engrossed copy) of House Bill No. 682 read as specified in the CLERICAL INSTRUCTIONS;

4. the Conference Committee Report to House Bill No. 682 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 5, lines 20 through 22.
Following: "30,000"
Strike: "and in those counties where the office of county attorney has been established as a full-time position pursuant to [section 1]"

2. Page 5, line 23.
Strike: "NOT EXCEED"
Insert: "be"

3. Page 5.
Following: line 23
Insert: "(d) In those counties where the office of the county attorney has been established as a full-time position pursuant to [section 1], the salary of the county attorney shall be set by resolution of the county commission but it shall not exceed the salary of the county attorney in a county with a population in excess of 30,000."

FOR THE HOUSE:	FOR THE SENATE:
HAND	MCCALLUM
KEYSER	CONOVER
DAILY	SEVERSON

UNFINISHED BUSINESS

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to House Bill No. 461:

Scully, Chairman
Bertelsen
Harrington

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on House Bill No. 768:

Brand, Chairman
Keedy
Anderson

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on House Bill No. 842:

Day, Chairman
Kemmis
Nathe

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on Senate Bill No. 170:

Dassinger, Chairman
Oberg
Ellerd

REPORTS OF STANDING COMMITTEES

Adverse Committee Reports

TAXATION (Huennekens, Chairman): 4/6/79
SB 184, third reading copy, be amended as follows:

1. Title, line 12.
Following: "23-2-642,"
Strike: "61-1-102,"

2. Title, line 14.
Following: "61-3-509,"
Strike: "61-3-601,"

3. Page 6, line 12.
Following: "fund"
Insert: "established for each school district within the county"

4. Page 7, line 3.
Following: "camper"
Insert: "subject to taxation in this state"

5. Page 14, line 22 through page 16, line 24.
Following: line 21 on page 14
Strike: section 20 in its entirety
Renumber: subsequent sections

6. Page 19, lines 12 through 14.
Following: "~~vehicle~~"
Strike: "truck with a manufacturer's rated capacity exceeding three-quarters of a ton"
Insert: "motor vehicle"

7. Page 19, line 18.
Following: "~~15-1-101(1),~~"
Insert: ", (except a mobile home as defined in 15-1-101(1)),"

8. Page 19, line 20.
Following: "shall"
Insert: "not"
Following: "required"
Strike: ", whenever such"

9. Page 19, line 21.
Following: "~~vehicle~~"
Strike: "truck has not been otherwise assessed,"

10. Page 19, line 22.
Following: "~~vehicle~~"
Strike: "new truck"
Insert: "motor vehicle"

11. Page 19, line 23.
Following: "~~vehicle~~"
Strike: "truck"
Insert: "vehicle"

12. Page 20, line 1.
Following: "~~vehicle~~"
Strike: "truck"
Insert: "motor vehicle"

13. Page 20, line 5.
Following: line 4
Strike: "truck"
Insert: "vehicle"

14. Page 20, line 5.
Following: "~~vehicle~~"
Strike: "truck"
Insert: "vehicle"

15. Page 20, line 9.
Following: "~~car~~"
Strike: "truck"
Insert: "vehicle"

16. Page 20, line 11.
Following: "~~vehicles~~"
Strike: "Trucks"
Insert: "Motor vehicles"

17. Page 20, line 14.
Following: "~~vehicles~~"
Strike: "Trucks"
Insert: "Motor vehicles"

18. Page 20, line 18.
Following: line 17
Strike: "trucks"
Insert: "motor vehicles"

19. Page 20, line 20.
Following: "~~Vehicles~~"
Strike: "Trucks"
Insert: "Vehicles"

20. Page 20, line 24.
Following: "~~vehicles~~"
Strike: "trucks"
Insert: "vehicles"

21. Page 22, line 17.
Following: "~~car~~"
Strike: "truck"
Insert: "vehicle"

22. Page 22, line 22.
Following: "~~car~~"
Strike: "truck"
Insert: "vehicle"

23. Page 24, lines 13 through 23.
Following: line 12
Strike: section 27 in its entirety

Renumber: subsequent sections

24. Page 45, line 20.
Following: "trucks,"
Strike: "mobile"
Insert: "motor"

25. Page 45, line 24 through page 46, line 18.
Following: line 23 on page 45
Strike: section 43 in its entirety
Renumber: subsequent sections

And as amended, be not concurred in.

Dussault moved that the House adjourn until 11:00 a.m., April 7, 1979.

Motion carried.

House adjourned at 4:35 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

EIGHTIETH LEGISLATIVE DAY

Helena, Montana
April 7, 1979

House Chambers
Capitol Building

House convened at 11:00 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Cooney, Fagg, Hemstad, Jensen, Kropp, Porter, H. Robbins, Scully, Thoft, Tropila, excused; Holmes, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Seventy-sixth Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 4/7/79

Signed by the Speaker on adjournment, 4/6/79 - HB 230, HB 570, HB 771, HB 785, HB 787, HB 859, SB 202, SB 232, SB 301, SB 390, SB 458, SJR 8.

Delivered to the Governor for his approval at 9:25 a.m., 4/7/79 - HB 197, HB 230, HB 244, HB 402, HB 411, HB 437, HB 494, HB 528, HB 570, HB 624, HB 704, HB 716, HB 733, HB 771, HB 785, HB 787, HB 788, HB 800, HB 803, HB 813, HB 853, HB 859, HB 860, HB 870, HB 887.

Do Pass

APPROPRIATIONS (Bardanouve, Chairman): 4/7/79

HB 507, introduced bill, be amended as follows:

1. Title, line 6.
Following: "AMENDING"
Strike: "SECTION"
Insert: "SECTIONS 5-2-301 AND"

2. Page 1, line 19.
Strike: "$39,600 $42,400"
Insert: "$39,000 $41,000"

3. Page 1, line 21.
Strike: "$38,500 $41,200"
Insert: "$38,000 $40,000"

4. Page 1, line 22.
Strike: "$34,800 $37,250"
Insert: "$34,500 $36,500"

5. Page 1, line 23.
Strike: "$24,000 $25,700"
Insert: "$24,500 $26,500"

6. Page 2, line 2.
Strike: "$24,000 $25,700"
Insert: "$24,500 $26,500"

7. Page 2, line 3.
Strike: "$21,875 $23,750"

Insert: "$23,875 $25,750"

8. Page 2.
Following: line 3
Insert: "SECTION 2. SECTION 5-2-301, MCA, IS AMENDED TO READ:

'5-2-301. Compensation and expenses for members while in session. (1) Legislators are entitled to a salary commensurate to that of the daily rate of a grade 8, step ~~1~~ 2 classified state employee, for those days during which the legislature is in session. The president of the senate and the speaker of the house shall receive an additional $5 a day in salary for those days during which the legislature is in session.

(2) Legislators are entitled to $40 a day, 7 days a week, during a legislative session, as reimbursement for expenses incurred in attending a session. Expense payments shall stop when the legislature recesses for more than 3 days and shall resume when the legislature reconvenes.

(3) Legislators are entitled to a mileage allowance as provided in 2-18-503 for each mile of travel:

(a) to the place of the holding of the session and to return to their place of residence at the conclusion of the session; and

(b) for one additional round trip to their place of residence during each session.

(4) Legislators are not entitled to any additional mileage allowance under subsection (3)(a) or (3)(b) for a special session if it is convened within 7 days of a regular session.'"

And as amended, do pass. Report adopted.

HB 508, introduced bill, be amended as follows:

1. Page 1, line 12.
Following: "1980,"
Strike: "$37,500"
Insert: "$37,000"

2. Page 1, line 13.
Following: "1980,"
Strike: "$40,000"
Insert: "$39,000"

And as amended, do pass. Report adopted.

STATE ADMINISTRATION (Brand, Chairman): 4/6/79
HR 4, be adopted. Report adopted.

REPORTS OF SELECT COMMITTEES

FREE JOINT CONFERENCE COMMITTEE ON HOUSE BILL NO. 768
Report No. 1, April 6, 1979

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 768, met April 5, 1979, and considered:

1. Senate Committee on Taxation amendments to the third reading copy, dated March 22, 1979.

We recommend that:

1. the Senate recede from Committee amendment numbers 1 through 4;

2. House Bill No. 768 be further amended as indicated in CLERICAL INSTRUCTION numbers 1, 2, 3, 4, and 6;

3. the reference (engrossed) copy of House Bill No. 768 read as specified in the CLERICAL INSTRUCTIONS;

4. the Conference Committee Report to House Bill No. 768 be adopted.

CLERICAL INSTRUCTIONS:

1. Title, line 7.
Following: "EXEMPT"
Insert: "FROM MONTANA'S INHERITANCE AND ESTATE TAXES"

2. Title, lines 8 through 10.
Following: "WHO"
Strike: remainder of line 8 through "TAXES" on line 10
Insert: "IS KILLED IN ACTION WHILE SERVING IN A COMBAT ZONE OR WHO DIES AS A RESULT OF WOUNDS, DISEASE, OR INJURIES SUFFERED WHILE SERVING IN A COMBAT ZONE AS DETERMINED UNDER SECTION 112(c) OF THE INTERNAL REVENUE CODE"

3. Page 1, line 15.
Following: "forces"
Strike: "dying"
Insert: "who has died"
Following: "wounds"
Insert: ", disease, or injuries"

4. Page 1, line 18.
Following: "States"
Strike: "dying while in"
Insert: "who has died as a result of"

5. Page 1, line 22.
Following: "died"
Strike: "IN A COMBAT ZONE"

6. Page 1, line 23.
Following: "suffered"
Strike: "in the line of duty"
Insert: "while serving in a combat zone as determined under section 112(c) of the internal revenue code"

FOR THE HOUSE:

BRAND
KEEDY
ANDERSON

FOR THE SENATE:

SEVERSON
HAGER
NORMAN

FREE CONFERENCE COMMITTEE
ON SENATE BILL NO. 106
Report No. 1, April 3, 1979

Mr. President and Speaker of the House:

We, your Free Conference Committee on Senate Bill No. 106, met on April 3, 1979, and considered:

1. House Judiciary Committee amendments, dated March 16, 1979, third reading copy.

We recommend that:

1. the House recede from Standing Committee amendment number 1 and the Senate accede to the Standing Committee amendment number 2;

2. Senate Bill No. 106 be further amended as indicated in CLERICAL INSTRUCTIONS;

3. the reference copy of Senate Bill No. 106 read as specified in the CLERICAL INSTRUCTIONS;

4. the Free Conference Committee Report on Senate Bill No. 106 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 1, line 15.
Following: line 14
Strike: "$22,500"
Insert: "$20,000"

FOR THE HOUSE:

KEEDY
UHDE
EUDAILY

FOR THE SENATE:

B. BROWN
MCCALLUM
S. BROWN

FREE CONFERENCE COMMITTEE
ON SENATE BILL NO. 284
Report No. 1, April 3, 1979

Mr. President and Speaker of the House:

We, your Free Conference Committee on Senate Bill No. 284, met on April 3, 1979, and considered:

1. House Committee on Judiciary amendments, dated March 16, 1979, third reading copy.

We recommend that:

1. the House recede from the Standing Committee amendment number 2 and the Senate accede to the Standing Committee amendment number 1;

2. Senate Bill No. 284 be further amended as indicated in the CLERICAL INSTRUCTIONS;

3. the Free Conference Committee Report on Senate Bill No. 284 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 4, line 16 through page 7, line 15.
Following: line 15
Strike: line 16 on page 4 through page 7, line 15 in their entirety
Insert: "(2) The report shall include the following information:

(a) the amount of product liability insurance premiums collected for the year, indicating the amount of premiums allocable to Montana and the total nationwide amount;

(b) information for product liability insurance experience separately allocated to Montana and nationwide showing the:

(i) total amount of earned premiums;

(ii) total amount of incurred losses, including all loss adjustment expense;

(iii) amount of reserves for both reported and unreported incurred losses; and

(iv) amount of other reserves for other product liability losses; and

(c) for any claim, loss, or action for bodily injury, death, or property damage allocated to Montana experience if there has been a final judgment or a settlement in any amount or if there has been a final disposition not resulting in a loss payment on behalf of the insured:

(i) a description of the type of product involved in each claim;

(ii) the date of occurrence from which each claim arose;

(iii) the state or other jurisdiction wherein each claim was adjudicated, settled, or other disposition made;

(iv) the date legal action commenced, if filed;

(v) a brief description of the occurrence out of which the claim arose;

(vi) the total number of all claims;

(vii) the total number of all claims closed without payments;

(viii) the total number of final verdicts or final judgments for defendants;

(ix) the total number of final verdicts or final judgments for plaintiffs; and

(x) such other information as the department may require."

FOR THE HOUSE: FOR THE SENATE:

BRAND LOWE
LIEN KOLSTAD
UNDERDAL TOWE

MESSAGES FROM THE OTHER HOUSE

House Bill concurred in and returned to the House: 4/6/79

House Bill No. 811, introduced by Porter, Spilker, Metcalf, Menahan, Burnett

Governor's Amendments to House Bills concurred in and returned to the House: 4/6/79

House Bill No. 457, introduced by Harper, Gerke, Donaldson, et al

House Bill No. 684, introduced by Hand, Keyser, Johnston, et al

The Senate on 4/6/79, requested the return of the following House Joint Resolution for further consideration:

House Joint Resolution No. 61, introduced by Ernst, Conover

MOTIONS

Dussault moved that SJR 30, presently on Second Reading, pass consideration for the day. Motion carried.

Dussault moved that HR 4 be taken from Printing and placed on Second Reading this day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 924, introduced by Frates. Referred to Committee on Judiciary.
HJR 67, introduced by Underdal, Iverson, Sivertsen, Johnston, Hayne, Stobie, Manuel. Referred to Committee on Natural Resources.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Free Conference Committee Report on House Bill No. 237 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 86

Noes: None.
Total 0

Excused: Cooney, Fagg, Hemstad, Jensen, Kropp, Porter, H. Robbins, Scully, Thoft, Tropila.
Total 10

Absent or not voting: Brand, Burnett, Holmes, Lory.
Total 4

Free Conference Committee Report on House Bill No. 594 was adopted by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.

Total 86

Noes: None.
Total 0

Excused: Cooney, Fagg, Hemstad, Jensen, Kropp, Porter, H. Robbins, Scully, Thoft, Tropila.
Total 10

Absent or not voting: Anderson, Brand, Burnett, Holmes.
Total 4

Conference Committee Report on Senate Amendments to House Bill No. 708 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 87

Noes: None.
Total 0

Excused: Cooney, Fagg, Hemstad, Jensen, Kropp, Porter, H. Robbins, Scully, Thoft, Tropila.
Total 10

Absent or not voting: Brand, Burnett, Holmes.
Total 3

Free Conference Committee Report on House Joint Resolution No. 19 was adopted by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Sales, Schultz, Seifert, Shelden, Sivertsen, South, Spilker, Teague, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 75

Noes: Conroy, Ellison, Hayne, Keyser, Roth, Smith, Staigmiller, Stobie, Uhde, Underdal.
Total 10

Excused: Cooney, Fagg, Hemstad, Jensen, Kropp, Porter, H. Robbins, Scully, Thoft, Tropila.
Total 10

Absent or not voting: Anderson, Brand, Burnett, Holmes, Nordtvedt.

Total 5

Senate Bill No. 70 with Statement of Intent was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, K. Robbins, Roth, Sales, Schultz, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 81

Noes: Frates, Harper, Keyser, Rosenthal, Seifert, Smith, Uhde.
Total 7

Excused: Cooney, Fagg, Hemstad, Jensen, Kropp, Porter, H. Robbins, Scully, Thoft, Tropila.
Total 10

Absent or not voting: Brand, Burnett.
Total 2

Senate Amendments to House Bill No. 727 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: None.
Total 0

Excused: Cooney, Fagg, Hemstad, Jensen, Kropp, Porter, H. Robbins, Scully, Thoft, Tropila.
Total 10

Absent or not voting: Brand, Burnett.
Total 2

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Johnson in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Harrington moved that HR 4 be placed at the top of the board. Motion carried.

That HR 4 be adopted. (80-0)

That SB 76 be concurred in. (86-1)

That SB 492 be concurred in. (78-1)

That CC on SA to HB 442 be adopted. (69-12)

That Free CC on HB 682 be adopted. (78-1)

That CC on HA to SB 2 be adopted. (81-1)

That GA to SB 406 be adopted. (82-1)

That the Committee rise and report. (Johnson, Chairman). Johnson moved that the committee report be deemed read. Motion carried. Report adopted. (80-0)

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 4/7/79
Correctly printed - HB 386, HB 745, HJR 64.

Do Pass

APPROPRIATIONS (Bardanouve, Chairman): 4/6/79
HB 891, introduced bill, be amended as follows:

1. Pages 1 through 21.
Strike: everything after the enacting clause
Insert: "Section 1. Section 2-18-101, MCA, is amended to read:

'2-18-101. Definitions. As used in parts 1 through 3 of this chapter, the following definitions apply:

(1) "Agency" means a department, board, commission, office, bureau, institution, or unit of state government recognized in the state budget.

(2) "Compensation" means the annual or hourly wage or salary ~~plus~~ and includes the ~~annual~~ state contribution ~~of health insurance premiums~~ to group benefits under provisions of 2-18-703.

(3) "Department" means the department of administration.

(4) Except in 2-18-306, "employee" means any state employee other than an employee excepted under 2-18-103 from the statewide classification system.

(5) "Personal staff" means those positions occupied by employees appointed by the elected officials enumerated in 2-18-103(10).

(6) "Position" means a collection of duties and responsibilities currently assigned or delegated by competent authority, requiring the full-time, part-time, or intermittent employment of one person.

(7) "Program" means a combination of planned efforts to provide a service.'

Section 2. Section 2-18-106, MCA, is amended to read:

'2-18-106. No limitation on legislative authority. Parts 1, ~~and~~ 2, and 3 do not limit the authority of the legislature relative to appropriations for salary and wages. The budget director shall adjust his determinations in accordance with legislative appropriations.'

Section 3. Section 2-18-301, MCA, is amended to read:

'2-18-301. ~~Rules~~ Purpose and intent of part — rules. (1) The purpose of this part is to provide the compensation necessary to attract and retain competent and qualified employees in order to perform the services the state is required to provide to its citizens.

(2) It is the intent of the legislature that, for the biennium ending June 30, 1981, the:

(a) pay schedules provided for in 2-18-311, 2-18-312, [section 9], [section 10], and [section 11] supersede any other plan or systems established through collective bargaining after the adjournment of the 46th Legislature;

(b) pay levels provided for in 2-18-311, 2-18-312, [section 9], [section 10], and [section 11] may not be increased through collective bargaining after adjournment of the 46th Legislature; and

(c) total funds required to implement the pay schedules provided for in 2-18-311, 2-18-312, [section 9], [section 10], and [section 11] for any employee group or bargaining unit may not be increased through collective bargaining over the amount appropriated by the 46th Legislature.

(3) The department shall administer the pay program established by the legislature on the basis of merit, internal equity, and competitiveness to external labor markets when fiscally able.

(4) The department ~~of administration, subject to approval by the budget director,~~ may promulgate rules not inconsistent with the provisions of this part, collective bargaining statutes, or negotiated contracts to carry out the purposes of this part.'

Section 4. Section 2-18-303, MCA, is amended to read:

'2-18-303. Procedures for utilizing pay schedules. ~~(1) The pay matrix provided in 2-18-311 indicates the annual compensation for the fiscal year ending June 30, 1978, for each step and grade for positions classified under provisions of law. Except as provided in 2-18-307 for collective bargaining units, the compensation of each employee shall, on the first day of the first pay period in July, 1977, as determined by the budget director, be that amount which corresponds to the grade and step occupied on June 30, 1977. The employee will advance one step on the employee's anniversary date as determined by the department of administration. If the employee's anniversary date falls between (inclusive) July 1 and the first day of the first pay period of 1977, he or she will advance one step on the first day of that pay period.~~

~~(2) The pay matrix provided in 2-18-312 indicates the annual compensation for the fiscal year ending June 30, 1979, for each step and grade for positions classified under provisions of law. Except as provided in 2-18-307 for collective bargaining units, the compensation of each employee shall, on the first day of the first pay period in July, 1978, as determined by the budget director, be that amount~~

~~which corresponds to the grade and step occupied on June 30, 1978. The employee will advance one step on the employee's anniversary date as determined by the department of administration. If the employee's anniversary date falls between (inclusive) July 1 and the first day of the first pay period of 1978, he or she will advance one step on the first day of that pay period.~~ (1) The pay schedules provided in 2-18-311 and 2-18-312 shall be implemented as follows:

(a) The pay schedule provided in 2-18-311 indicates the annual compensation for the fiscal year ending June 30, 1980, for each grade and step for positions classified under the provisions of part 2 of this chapter.

(b) The pay schedule provided in 2-18-312 indicates the annual compensation for the fiscal year ending June 30, 1981, for each grade and step for positions classified under the provisions of part 2 of this chapter.

(c) Each new employee shall advance from step 1 to step 2 of a grade after successfully completing 6 months of probationary service. The anniversary date of an employee shall be established at the end of the probationary period in accordance with rules promulgated by the department.

(d) (i) The compensation of each employee on the first day of the first pay period in fiscal year 1980 shall be that amount which corresponds to the grade and step occupied on the last day of the preceding fiscal year of 1979.

(ii) The compensation of each employee on the first day of the first pay period in fiscal year 1981 shall be that amount which corresponds to the grade and step occupied on the last day of the fiscal year 1980.

(iii) In compliance with rules adopted to implement [this act], each employee is eligible on his anniversary date to advance one step in the pay matrix each fiscal year. However, if the employee's anniversary date falls between (inclusive) July 1 and the first day of the first pay period of fiscal year 1980 or 1981, as the case may be, he will advance one step on the first day of that pay period.

(2) The pay schedules provided in 2-18-311 and 2-18-312 and the provisions of subsection (1) of this section do not apply to those institutional teachers, liquor store occupations, or blue-collar occupations compensated under the pay schedules provided in [sections 9, 10, or 11 of this act].

(3) The pay schedules provided in [sections 9, 10, or 11 of this act] shall be implemented as follows:

(a) (i) The pay schedules provided in [section 9 of this act] indicate the annual compensation for the contracted school term for teachers employed by institutions under the authority of the department of institutions for fiscal years 1980 and 1981.

(ii) The compensation of each teacher on the first day of the first pay period in July 1980 shall be that amount which corresponds to his level of academic achievement and the next highest grade from that occupied on June 30, 1979.

(iii) The compensation of each teacher on the first day of the first pay period in July 1981 shall be that amount which corresponds to

his level of achievement and the next highest grade from that occupied on June 30, 1980.

(b) (i) The pay schedules provided in [section 10 of this act] indicate the maximum hourly compensation for fiscal years ending June 30, 1980, and June 30, 1981, for those employees in liquor store occupations who have collectively bargained separate classification and pay plans.

(ii) The compensation of each employee on the first day of the first pay period in fiscal year 1980 or 1981, as the case may be, shall be that amount which corresponds to that grade occupied on the last day of the preceding fiscal year.

(c) (i) The pay schedules provided in [section 11 of this act] indicate the maximum hourly compensation for fiscal years ending June 30, 1980, and June 30, 1981, for employees in apprentice trades and crafts and other blue-collar occupations recognized in the state blue-collar classification plan who are members of units that have collectively bargained separate classification and pay plans.

(ii) The compensation of each employee on the first day of the first pay period in fiscal year 1980 or 1981, as the case may be, shall be that amount which corresponds to that grade occupied on the last day of the preceding fiscal year.

(4) (a) (i) No member of a bargaining unit may receive the amounts indicated in the respective pay schedules provided in 2-18-311, 2-18-312, or [sections 9, 10, or 11 of this act] until the bargaining unit of which he is a member ratifies a completely integrated collective bargaining agreement covering the biennium ending June 30, 1981.

(ii) In the event that negotiation and ratification of a completely integrated collective bargaining agreement as required by subsection (4)(a)(i) of this section are not completed by July 1, 1979, retroactivity to that date may be negotiated.

(iii) In the event that negotiation and ratification of a completely integrated collective bargaining agreement as required by subsection (4)(a)(i) of this section are not completed by July 1, 1979, members of the bargaining unit involved will continue to receive the compensation they were receiving as of June 30, 1979.

(b) Methods of administration not inconsistent with the purpose of [this act] and necessary to properly implement the pay schedules provided in [sections 9, 10, or 11 of this act] may be provided for in collective bargaining agreements.

(5) The current wage or salary of an employee shall not be reduced by the implementation of the pay schedules provided for in 2-18-311, 2-18-312, or [sections 9, 10, or 11 of this act].

(6) The department may authorize a separate pay schedule for medical doctors if the rates provided in 2-18-311 and 2-18-312 are not sufficient to attract and retain fully licensed and qualified physicians at the state institutions.'

Section 5. Section 2-18-304, MCA, is amended to read:

'2-18-304. Longevity allowance. In addition to the compensation ~~determined~~ provided for in 2-18-311, ~~and~~ 2-18-312, [section 9 of this act], [section 10 of this act], or [section 11 of this act], each

employee who has completed ~~at least~~ 5 years of uninterrupted state service shall receive ~~the amount obtained by multiplying~~ the larger of $10 a month or 10% of the difference between the base compensation for his grade and step (where applicable) and the base compensation for the next highest grade and corresponding step (where applicable) ~~in the next highest grade~~ multiplied by the number of completed, contiguous 5-year periods of uninterrupted state service ~~he has with the state~~. Service to the state ~~may~~ is not ~~be considered to have been~~ interrupted by authorized leaves of absence.'

Section 6. Section 2-18-305, MCA, is amended to read:

'2-18-305. Allocation between wages and ~~health insurance~~ group benefits. (1) The dollar amounts shown in the respective ~~matrices~~ pay schedules provided in 2-18-311, ~~and~~ 2-18-312, [section 9 of this act], [section 10 of this act], or [section 11 of this act], as the case may be, represent the maximum amount allocated by the state for wages and ~~health insurance~~ group benefits, exclusive of longevity as defined in 2-18-304. Except as provided in subsection (2) of this section, that amount specifically allocated for ~~health insurance~~ group benefits shall be determined by 2-18-703. An employee who elects not to be covered by a state ~~health insurance~~ employee group benefit plan will receive as wages the amount shown in the appropriate ~~matrix~~ pay schedule less the state contribution for ~~health insurance~~ group benefits as determined by 2-18-703.

(2) Employees may, through collective bargaining, determine the allocation of the amounts shown in the ~~matrices of~~ pay schedules provided in 2-18-311, ~~and~~ 2-18-312, [section 9 of this act], [section 10 of this act], or [section 11 of this act], as the case may be, between wages and ~~health insurance~~ group benefits, except that in no case may the ~~health insurance~~ group benefits allocation be less than the amounts provided in 2-18-703.'

Section 7. Section 2-18-311, MCA, is amended to read:

'2-18-311. Pay ~~matrix~~ schedule for ~~first~~ fiscal year 1980.' (see attachments 1 and 2)

Section 8. Section 2-18-312, MCA, is amended to read:

'2-18-312. Pay ~~matrix~~ schedule for ~~second~~ fiscal year 1981.' (see attachments 3 and 4)

NEW SECTION. Section 9. Pay schedules for institutional teachers.

(1) Teacher pay schedule for fiscal year 1980:

Experience (Grade)	BA (Step 1)	BA+1qtr. (Step 2)	BA+2qtr. (Step 3)	5th Year (Step 4)	MA (Step 5)	MA+1qtr. (Step 6)
0	10,250	10,577	10,915	11,079	11,243	11,582
1	10,635	11,001	11,368	11,456	11,735	12,102
2	11,021	11,427	11,822	12,025	12,227	12,624
3	11,407	11,851	12,275	12,498	12,719	13,145
4	11,793	12,275	12,729	12,971	13,211	13,665
5	12,179	12,700	13,183	13,444	13,703	14,187
6	12,564	13,124	13,637	13,915	14,195	14,708
7	12,950	13,550	14,089	14,388	14,687	15,229
8	13,336	13,974	14,543	14,861	15,181	15,750
9	13,724	14,399	14,997	15,335	15,673	16,271

(2) Teacher pay schedule for fiscal year 1981:

Experience (Grade)	BA (Step 1)	BA+1qtr. (Step 2)	BA+2qtr. (Step 3)	5th Year (Step 4)	MA (Step 5)	MA+1qtr. (Step 6)
0	11,070	11,420	11,783	11,959	12,135	12,498
1	11,483	11,875	12,269	12,363	12,662	13,056
2	11,897	12,332	12,756	12,973	13,190	13,616
3	12,311	12,787	13,241	13,481	13,718	14,175
4	12,724	13,241	13,728	13,988	14,245	14,732
5	13,138	13,697	14,215	14,495	14,773	15,292
6	13,551	14,152	14,702	15,000	15,301	15,851
7	13,965	14,609	15,187	15,508	15,828	16,410
8	14,379	15,064	15,674	16,015	16,358	16,968
9	14,795	15,519	16,161	16,523	16,886	17,527
10	15,208	15,974	16,705	17,031	17,413	18,086

NEW SECTION. Section 10. Pay schedules for liquor store occupations. (1) Liquor store pay schedule for fiscal year 1980:

Grade	$/Hour
L1	4.533
L2	4.893
L3	5.263
L4	5.468
L5	5.683
L6	6.133
L7	6.623
L8	7.173

(2) Liquor store pay schedule for fiscal year 1981:

Grade	$/Hour
L1	4.893
L2	5.253
L3	5.623
L4	5.828
L5	6.043
L6	6.493
L7	6.983
L8	7.533

NEW SECTION. Section 11. Pay schedules for blue-collar occupations. (1) Blue-collar pay schedule for fiscal year 1980:

Grade	$/Hour
B1	5.036
B2	5.364
B3	5.692
B4	6.020
B5	6.348
B6	6.676
B7	7.004
B8	7.332
B9	7.660
B10	7.988
B11	8.316
B12	8.644
B00**	8.972

(2) Blue-collar pay schedule for fiscal year 1981:

Grade	$/Hour
B1	5.332
B2	5.660
B3	5.988
B4	6.316
B5	6.644
B6	6.972
B7	7.300
B8	7.628
B9	7.956
B10	8.284
B11	8.612
B12	8.940
B00**	9.268

(3) In recognition that the blue-collar employee classes in the university system have been paid at rates higher than employees in the blue-collar classes in the executive branch, it is the intent of the legislature during the next biennium that the board of regents seek wage settlements which reduce the current wage disparities or provide wages equal to those of employees in the executive branch.

Section 12. Section 2-18-701, MCA, is amended to read:

'2-18-701. Definitions. In this part, as it applies to a person employed in the executive, judicial, or legislative branches of state government, "employee" means:

(1) a permanent full-time employee defined in 2-18-601;

~~(2) a part-time employee defined in 2-18-601 who is scheduled to work at least 20 hours per week;~~

~~(3) a person employed in a seasonal position defined in 2-18-601 who is employed on a regular basis at least 8 months of the fiscal year.~~

(2) a part-time permanent employee, as defined in 2-18-601, who is scheduled to work a regular schedule of 20 hours or more a week;

(3) a seasonal employee, as defined in 2-18-601, who is scheduled to work 6 months or more a year;

(4) elected officials;

(5) officers and employees of the legislative branch;

(6) judges and employees of the judicial branch; and

(7) academic, professional, and administrative personnel having individual contracts under the authority of the board of regents of higher education or the state board of public education.'

Section 13. Section 2-18-703, MCA, is amended to read:

'2-18-703. Contributions. (1) ~~The respective administrative and governing bodies~~ Each agency as defined in 2-18-601 shall contribute the amount specified in this section towards the ~~insurance premium:~~ group benefits cost.

~~(1)~~(2) For employees defined in 2-18-701 other than members of collective bargaining units, and for members of the legislature, the employer contribution for ~~insurance~~ group benefits shall be ~~$240~~ $50 per ~~year~~ month for the fiscal year ending June 30, ~~1978~~ 1980, and ~~$360~~ $60 per ~~year~~ month for each fiscal year thereafter. ~~The~~

~~employer shall prorate this amount for employees who work less than 2,080 hours per year.~~ Permanent part-time employees who are regularly scheduled to work less than 20 hours a week are not eligible for the group benefit contribution. An employee who elects not to be covered by a state-sponsored group benefit plan may not receive the state contribution as wages.

~~(2) For state employee members of a collective bargaining unit, the employer shall pay the amount negotiated with the collective bargaining unit.~~

(3) For employees of elementary and high school districts and of local government units, the employer's premium contributions may exceed but ~~shall~~ may not be less than $10 per month.

(4) Unused employer contributions for any state employee shall be transferred to an account established for this purpose by the department and upon such transfer may be used to offset losses occurring to the group of which the employee is eligible to be a member.'

Section 14. Appropriation. There is appropriated to the Office of Budget and Program Planning $4,509,410 for the fiscal year ending June 30, 1980, and $9,490,590 for the fiscal year ending June 30, 1981, from the general fund to carry out the provisions of this act as it pertains to executive branch agencies not including units of the university system, vocational-technical centers, and community colleges. The Office of Budget and Program Planning is authorized to increase the expenditure authority of executive branch agencies, not including units of the university system, vocational-technical centers, and community colleges, by $5,981,022 for the fiscal year ending June 30, 1980, and $12,888,269 for the fiscal year ending June 30, 1981, from funds other than the general fund which accrue under provision of law to the respective agencies to carry out the provisions of this act.

Section 15. Reversion of funds. Appropriated funds not spent at the end of the fiscal year shall revert to the fund from which appropriated.

Section 16. Codification. The code commissioner shall codify sections 9, 10, and 11 of this act in Title 2, chapter 18, part 3, and preferably shall codify them as 2-18-313, 2-18-314, and 2-18-315, respectively.

Section 17. Repealer. Section 2-18-307, MCA, is repealed."

And as amended, do pass. Report adopted.

SB 164, be concurred in. Report adopted. 4/7/79

TAXATION (Huennekens, Chairman): 4/7/79
HJR 66, do pass. Report adopted.
SB 234, be concurred in. Report adopted.
SB 235, be concurred in. Report adopted.

Adverse Committee Reports

APPROPRIATIONS (Bardanouve, Chairman): 4/7/79
SB 286, be not concurred in.

Yardley, Manning, Pavlovich, Magone, Rosenthal, Dassinger, Pistoria, Gesek, Kemmis, Reichert objected that SB 286 was reported out of committee with a be not concurred in recommendation and requested that the bill be referred to Second Reading.

REPORTS OF SELECT COMMITTEES

FREE JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 634
Report No. 1, April 6, 1979

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 634, met April 5, 1979, and considered:

1. Senate Committee on Education amendments to the third reading copy, dated March 21, 1979.

We recommend that:

1. the House accede to the Committee amendment numbers 1 through 31;

2. House Bill No. 634 be further amended as indicated in CLERICAL INSTRUCTION numbers 1 through 10;

3. the Free Conference Committee Report to House Bill No. 634 be adopted.

CLERICAL INSTRUCTIONS:

1. Title, line 15.
Following: "MCA;"
Strike: "AND"

2. Title, line 16.
Following: "MCA"
Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 7, lines 8 and 9.
Following: "the"
Strike: "board of public education"
Insert: "superintendent of public instruction"

4. Page 8, line 22.
Following: "the"
Strike: "board of public education"
Insert: "superintendent of public instruction"

5. Page 11, line 10.
Following: "~~such~~"
Strike: "initial"
Insert: "such"

6. Page 11, line 11.
Following: "of"
Strike: "initial"

7. Page 13, line 15.
Following: "20-9-353."
Insert: "When another additional levy proposition is presented to the electorate, the proposition for an additional levy for a postsecondary vocational-technical center may be presented as a separate issue on the ballot or it may be consolidated with the additional levy proposition of the high school district."

8. Page 13, lines 18 through 20.

Following: "maintenance." on line 18
Strike: the remainder of line 18 through "the" on line 20
Insert: "The"

9. Page 13, line 22.
Following: "facilities"
Strike: "must"
Insert: "may"
Following: "be"
Insert: "either local funds or"

10. Page 34.
Following: line 22
Insert: "Section 22. Effective date. This act is effective on passage and approval."

FOR THE HOUSE:
DAILY
OBERG
EUDAILY

FOR THE SENATE:
B. BROWN
BLAYLOCK
MCCALLUM

MOTIONS

Dussault moved that the rules be suspended to allow SB 76 to be placed on Third Reading this day. Motion carried. (80-0)

Bardanouve moved to suspend the rules for the introduction of a House Joint Resolution expressing appreciation to Mrs. Haynes. Motion carried. (82-0)

Ramirez moved that the House request the Senate to return SB 500 for the purpose of voting on the overriding of the Governor's veto, and that the bill be referred to the Committee on Rules after its return. Motion carried. (82-0)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House joint resolution was introduced, read first time and referred to committee:

HJR 68, introduced by Bardanouve, Mathers, Gerke, Stephens, Dussault, Ramirez, Blaylock. Referred to Committee on State Administration.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Bill No. 76 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Uhde, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker.

Total 84

Noes: None.
Total 0

Excused: Cooney, Fagg, Hemstad, Jensen, Kropp, Porter, H. Robbins, Scully, Thoft, Tropila.
Total 10

Absent or not voting: Brand, Burnett, Feda, Manning, Vinger, Waldron.
Total 6

UNFINISHED BUSINESS

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on HB 842:

Day, Chairman
Kemmis
Nathe

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on SB 106:

Keedy, Chairman
Uhde
Eudaily

Dussault moved that the House adjourn until 1:30 p.m., April 9, 1979.

Motion carried.

House adjourned at 12:53 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

PAY TABLE 1

GRD	STEP 01	STEP 02	STEP 03	STEP 04	STEP 05	STEP 06	STEP 07	STEP 08	STEP 09	STEP 10	STEP 11	STEP 12	STEP 13
1			5,206	5,323	5,440	5,498	5,611	5,725	5,846	5,968	6,047	6,128	6,209
2	5,377	5,498	5,611	5,725	5,846	5,968	6,094	6,222	6,349	6,477	6,564	6,651	6,738
3	5,836	5,968	6,094	6,222	6,349	6,477	6,617	6,759	6,900	7,041	7,133	7,228	7,329
4	6,334	6,477	6,617	6,759	6,900	7,041	7,189	7,336	7,497	7,658	7,766	7,872	7,980
5	6,885	7,041	7,189	7,336	7,497	7,658	7,826	7,994	8,168	8,342	8,457	8,570	8,691
6	7,488	7,658	7,826	7,994	8,168	8,342	8,523	8,705	8,893	9,081	9,208	9,336	9,463
7	8,156	8,342	8,523	8,705	8,893	9,081	9,282	9,483	9,691	9,900	10,040	10,181	10,322
8	8,878	9,081	9,282	9,483	9,691	9,900	10,121	10,342	10,570	10,798	10,953	11,108	11,261
9	9,678	9,900	10,121	10,342	10,570	10,798	11,040	11,282	11,530	11,778	11,946	12,114	12,289
95	10,117	10,349	10,580	10,812	11,050	11,289	11,540	11,792	12,057	12,321	12,496	12,670	12,853
10	10,556	10,798	11,040	11,282	11,530	11,778	12,040	12,302	12,583	12,865	13,046	13,227	13,416
105	11,037	11,291	11,540	11,793	12,057	12,321	12,598	12,875	13,165	13,459	13,650	13,839	14,037
11	11,513	11,778	12,040	12,302	12,583	12,865	13,153	13,442	13,744	14,046	14,248	14,449	14,657
115	12,044	12,321	12,598	12,875	13,165	13,459	13,758	14,060	14,376	14,691	14,904	15,115	15,334
12	12,575	12,865	13,153	13,442	13,744	14,046	14,361	14,677	15,006	15,335	15,567	15,778	16,006
125	13,155	13,459	13,758	14,060	14,376	14,691	15,023	15,357	15,700	16,047	16,277	16,509	16,745
13	13,729	14,046	14,361	14,677	15,006	15,335	15,684	16,033	16,395	16,757	16,999	17,240	17,489
14	14,988	15,335	15,670	16,006	16,342	16,676	17,012	17,348	17,684	18,019	18,355	18,690	18,957
15	16,378	16,757	17,093	17,429	17,764	18,099	18,435	18,770	19,106	19,442	19,777	20,112	20,200
16	17,912	18,327	18,663	18,999	19,334	19,670	20,005	20,341	20,676	21,012	21,348	21,682	21,850
17	19,578	20,032	20,367	20,703	21,039	21,374	21,710	22,046	22,380	22,716	23,052	23,387	23,555
18	21,413	21,911	22,246	22,582	22,918	23,253	23,588	23,924	24,259	24,595	24,931	25,267	25,433
19	23,433	23,978	24,314	24,648	24,984	25,320	25,656	25,990	26,326	26,662	26,997	27,333	27,501
20	25,636	26,233	26,567	26,903	27,239	27,575	27,910	28,246	28,582	28,916	29,252	29,588	29,756
21	28,062	28,716	29,091	29,386	29,722	30,058	30,393	30,728	31,064	31,399	31,735	32,071	32,239
22	30,723	31,439	31,775	32,111	32,446	32,782	33,117	33,453	33,788	34,124	34,460	34,795	34,962
23	33,634	34,419	34,754	35,090	35,426	35,762	36,096	36,432	36,768	37,103	37,439	37,775	37,942
24	36,834	37,694	38,030	38,365	38,700	39,036	39,371	39,707	40,043	40,378	40,713	41,049	41,217
25	40,348	41,291	41,626	41,962	42,298	42,632	42,968	43,304	43,639	43,975	44,310	44,646	44,813

HOUSE BILL 891 +5% (14+) 1979—1980 STATE ANNUAL SALARY MATRIX

Grade	STEP 01	STEP 02	STEP 03	STEP 04	STEP 05	STEP 06	STEP 07	STEP 08	STEP 09	STEP 10	STEP 11	STEP 12	STEP 13
1	5,892	6,186	6,310	6,436	6,565	6,696	6,830	6,967	7,106	7,248	7,393	7,541	7,692
2	6,313	6,629	6,762	6,897	7,035	7,176	7,320	7,466	7,615	7,767	7,922	8,080	8,242
3	6,774	7,112	7,254	7,399	7,547	7,698	7,852	8,009	8,169	8,332	8,499	8,669	8,842
4	7,274	7,638	7,791	7,947	8,106	8,268	8,433	8,602	8,774	8,949	9,128	9,311	9,497
5	7,828	8,219	8,383	8,551	8,722	8,896	9,074	9,255	9,440	9,629	9,822	10,018	10,218
6	8,433	8,855	9,032	9,213	9,397	9,585	9,777	9,973	10,172	10,375	10,583	10,795	11,011
7	9,104	9,559	9,750	9,945	10,144	10,347	10,554	10,765	10,980	11,200	11,424	11,652	11,885
8	9,829	10,320	10,526	10,737	10,952	11,171	11,394	11,622	11,854	12,091	12,333	12,580	12,832
9	10,632	11,164	11,387	11,615	11,847	12,084	12,326	12,573	12,824	13,080	13,342	13,609	13,881
10	11,513	12,089	12,331	12,578	12,830	13,087	13,349	13,616	13,888	14,166	14,449	14,738	15,033
11	12,474	13,098	13,360	13,627	13,900	14,178	14,462	14,751	15,046	15,347	15,654	15,967	16,286
12	13,541	14,218	14,502	14,792	15,088	15,390	15,698	16,012	16,332	16,659	16,992	17,332	17,679
13	14,699	15,434	15,743	16,058	16,379	16,707	17,041	17,382	17,730	18,085	18,447	18,816	19,192
14	16,043	16,845	17,181	17,525	17,876	18,234	18,599	18,970	19,350	19,737	20,132	20,535	20,946
15	17,445	18,317	18,684	19,058	19,439	19,828	20,225	20,629	21,042	21,463	21,892	22,330	22,776
16	18,993	19,942	20,341	20,748	21,163	21,586	22,019	22,459	22,908	23,366	23,834	24,310	24,796
17	20,674	21,708	22,142	22,585	23,037	23,497	23,967	24,447	24,936	25,435	25,943	26,462	26,991
18	22,525	23,652	24,125	24,607	25,100	25,602	26,115	26,638	27,170	27,714	28,269	28,834	29,411
19	24,564	25,792	26,308	26,835	27,371	27,919	28,478	29,048	29,628	30,221	30,825	31,441	31,441
20	26,787	28,127	28,690	29,264	29,849	30,445	31,055	31,676	32,309	32,955	33,614	33,614	33,614
21	29,235	30,697	31,311	31,937	32,576	33,227	33,892	34,569	35,260	35,966	35,966	35,966	35,966
22	31,920	33,516	34,186	34,869	35,567	36,278	37,004	37,744	38,499	38,499	38,499	38,499	38,499
23	34,857	36,600	37,332	38,078	38,840	39,617	40,409	41,217	41,217	41,217	41,217	41,217	41,217
24	38,086	39,990	40,790	41,606	42,438	43,287	44,153	44,153	44,153	44,153	44,153	44,153	44,153
25	41,631	43,713	44,588	45,479	46,389	47,316	47,316	47,316	47,316	47,316	47,316	47,316	47,316

NOTE:
INCLUDES INSURANCE.

PAY TABLE 3

GRD	STEP 01	STEP 02	STEP 03	STEP 04	STEP 05	STEP 06	STEP 07	STEP 08	STEP 09	STEP 10	STEP 11	STEP 12	STEP 13
1			5,784	5,911	6,031	6,120	6,210	6,326	6,443	6,567	6,691	6,772	6,855
2	5,955	6,086	6,210	6,326	6,443	6,567	6,691	6,820	6,951	7,081	7,212	7,301	7,390
3	6,414	6,556	6,691	6,820	6,951	7,081	7,212	7,356	7,501	7,645	7,790	7,884	7,981
4	6,912	7,066	7,212	7,356	7,501	7,645	7,790	7,941	8,092	8,256	8,421	8,532	8,640
5	7,463	7,630	7,790	7,941	8,092	8,256	8,421	8,593	8,765	8,943	9,121	9,239	9,355
6	8,066	8,247	8,421	8,593	8,765	8,943	9,121	9,306	9,493	9,685	9,870	10,000	10,139
7	8,734	8,931	9,121	9,306	9,493	9,685	9,870	10,083	10,289	10,502	10,716	10,859	11,003
8	9,456	9,670	9,870	10,083	10,289	10,502	10,716	10,942	11,168	11,402	11,635	11,794	11,952
9	10,256	10,489	10,716	10,942	11,160	11,402	11,635	11,883	12,130	12,384	12,638	12,810	12,982
10	11,134	11,387	11,635	11,883	12,130	12,384	12,637	12,906	13,174	13,462	13,750	13,936	14,121
11	12,091	12,367	12,639	12,906	13,174	13,462	13,750	14,045	14,341	14,650	14,959	15,166	15,372
12	13,133	13,454	13,750	14,045	14,341	14,650	14,959	15,282	15,605	15,942	16,278	16,504	16,732
13	14,307	14,658	14,958	15,282	15,605	15,942	16,278	16,636	16,993	17,363	17,734	17,982	18,230
14	15,566	15,923	16,278	16,621	16,965	17,309	17,651	17,995	18,339	18,683	19,026	19,369	19,712
15	16,956	17,346	17,734	18,078	18,422	18,765	19,107	19,451	19,794	20,138	20,482	20,825	21,168
16	18,490	18,916	19,341	19,685	20,029	20,371	20,715	21,058	21,402	21,745	22,089	22,433	22,775
17	20,156	20,621	21,086	21,429	21,773	22,117	22,459	22,803	23,147	23,489	23,833	24,177	24,520
18	21,991	22,499	23,009	23,362	23,696	24,040	24,383	24,725	25,069	25,412	25,756	26,100	26,444
19	24,011	24,567	25,125	25,469	25,810	26,154	26,498	26,842	27,184	27,528	27,872	28,215	28,558
20	26,214	26,822	27,433	27,774	28,110	28,462	28,806	29,149	29,493	29,837	30,179	30,523	30,866
21	28,640	29,305	29,974	30,350	30,660	31,004	31,347	31,690	32,033	32,377	32,720	33,064	33,408
22	31,301	32,028	32,761	33,105	33,448	33,792	34,135	34,478	34,822	35,165	35,509	35,853	36,196
23	34,212	35,008	35,811	36,154	36,498	36,842	37,186	37,527	37,871	38,215	38,558	38,902	39,246
24	37,412	38,283	39,163	39,507	39,850	40,193	40,536	40,879	41,223	41,567	41,910	42,253	42,597
25	40,926	41,879	42,844	43,187	43,531	43,875	44,217	44,561	44,905	45,248	45,592	45,934	46,278

Grade	STEP 01	STEP 02	STEP 03	STEP 04	STEP 05	STEP 06	STEP 07	STEP 08	STEP 09	STEP 10	STEP 11	STEP 12	STEP 13
1	6,412	6,732	6,867	7,004	7,144	7,287	7,433	7,582	7,734	7,889	8,047	8,208	8,372
2	6,845	7,188	7,332	7,479	7,629	7,782	7,938	8,097	8,259	8,424	8,592	8,764	8,939
3	7,320	7,686	7,840	7,997	8,157	8,320	8,486	8,656	8,829	9,006	9,186	9,370	9,557
4	7,835	8,227	8,392	8,560	8,731	8,906	9,084	9,266	9,451	9,640	9,833	10,030	10,231
5	8,405	8,825	9,002	9,182	9,366	9.553	9,744	9,939	10,138	10,341	10,548	10,759	10,974
6	9,029	9,480	9,670	9,863	10,060	10,261	10,466	10,675	10,889	11,107	11,329	11,556	11,787
7	9,720	10,206	10,410	10,618	10,830	11,047	11,268	11,493	11,723	11,957	12,196	12,440	12,689
8	10,466	10,989	11,209	11,433	11,662	11,895	12,133	12,376	12,624	12,876	13,134	13,397	13,665
9	11,294	11,859	12,096	12,338	12,585	12,837	13,094	13,356	13,623	13,895	14,173	14,456	14,745
10	12,201	12,811	13,067	13,328	13,595	13,867	14,144	14,427	14,716	15,010	15,310	15,616	15,928
11	13,191	13,851	14,128	14,411	14,699	14,993	15,293	15,599	15,911	16,229	16,554	16,885	17,223
12	14,290	15,004	15,304	15,610	15,922	16,240	16,565	16,896	17,234	17,579	17,931	18,290	18,656
13	15,483	16,257	16,582	16,914	17,252	17,597	17,949	18,308	18,674	19,047	19,428	19,817	20,213
14	16,952	17,800	18,156	18,519	18,890	19,268	19,654	20,046	20,447	20,857	21,274	21,699	22,133
15	18,404	19,324	19,711	20,105	20,507	20,917	21,335	21,761	22,197	22,641	23,094	23,555	24,026
16	20,006	21,007	21,427	21,855	22,293	22,738	23,194	23,657	24,131	24,614	25,106	25,608	26,120
17	21,746	22,833	23,290	23,755	24,230	24,715	25,209	25,713	26,227	26,751	27,286	27,832	28,388
18	23,663	24,846	25,343	25,850	26,367	26,894	27,433	27,981	28,541	29,111	29,693	30,287	30,893
19	25,773	27,062	27,603	28,156	28,719	29,294	29,880	30,478	31,088	31,710	32,344	32,991	32,991
20	28,074	29,478	30,068	30,669	31,282	31,907	32,545	33,196	33,859	34,536	35,227	35,227	35,227
21	30,608	32,139	32,782	33,437	34,106	34,787	35,483	36,193	36,918	37,656	37,656	37,656	37,656
22	33,387	35,057	35,758	36,473	37,202	37,947	38,705	39,479	40,269	40,269	40,269	40,269	40,269
23	36,428	38,250	39,014	39,795	40,591	41,403	42,231	43,075	43,075	43,075	43,075	43,075	43,075
24	39,770	41,759	42,595	43,446	44,315	45,202	46,105	46,105	46,105	46,105	46,105	46,105	46,105
25	43,440	45,613	46,525	47,455	48,404	49,373	49,373	49,373	49,373	49,373	49,373	49,373	49,373

NOTE:
INCLUDES INSURANCE.

EIGHTY-FIRST LEGISLATIVE DAY

Helena, Montana
April 9, 1979

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Burnett, Gould, O'Connell, Kanduch, excused; Bengtson, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Seventy-seventh and Seventy-eighth Legislative Days, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 4/9/79
Correctly printed - HB 507, HB 508, HJR 66.

Will be signed by the Speaker on adjournment, 4/9/79 - SB 435, SB 504.

Adverse Committee Reports

On motion by South, the Adverse Committee Report on HB 211 was adopted by the following vote: (76-9)

Ayes: Anderson, Azzara, Baeth, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 76

Noes: Bennett, Brand, Gilligan, Keedy, Menahan, Pavlovich, Pistoria, H. Robbins, Teague.
Total 9

Excused: Burnett, Gould, Kanduch, O'Connell.
Total 4

Absent or not voting: Bardanouve, Bengtson, Ellerd, Fagg, Hemstad, McBride, Oberg, Sales, Scully, Uhde, Waldron.
Total 11

On motion by Huennekens, the Adverse Committee Report on SB 184 was adopted by the following vote: (58-27)

Ayes: Anderson, Azzara, Baeth, Bertelsen, Brand, Conroy, Cooney, Dassinger, Donaldson, Dozier, Dussault, Ellison, Ernst, Fabrega, Feda, Frates, Hayne, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lund, Magone, Manning, Marks, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Pavlovich, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Shelden, Sivertsen, Smith,

Staigmiller, Thoft, Uhde, Underdal, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 58

Noes: Bennett, Curtiss, Daily, Day, Ellis, Eudaily, Gesek, Gilligan, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Johnston, Keyser, Lory, Manuel, Menahan, Porter, Roth, Seifert, Spilker, Stobie, Teague, Tropila, Vincent.
Total 27

Excused: Burnett, Gould, Kanduch, O'Connell.
Total 4

Absent or not voting: Bardanouve, Bengtson, Ellerd, Fagg, Keedy, McBride, Oberg, Pistoria, Scully, South, Waldron.
Total 11

On motion by South, the Adverse Committee Report on SB 319 was adopted by the following vote: (48-40)

Ayes: Azzara, Baeth, Bennett, Bertelsen, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Eudaily, Frates, Gesek, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnson, Kemmis, Kessler, Kvaalen, Lory, McBride, Magone, Manning, Marks, Metcalf, Nordtvedt, Pistoria, Quilici, Reichert, K. Robbins, Rosenthal, Shelden, Sivertsen, South, Staigmiller, Tropila, Vincent, Williams, Wood, Yardley, Mr. Speaker.
Total 48

Noes: Anderson, Brand, Conroy, Curtiss, Donaldson, Ellison, Ernst, Fabrega, Feda, Gilligan, Hayne, Hemstad, Iverson, Johnston, Keedy, Keyser, Kropp, Lien, Lund, Manuel, Menahan, Meyer, Moore, Nathe, Pavlovich, Porter, Ramirez, H. Robbins, Roth, Schultz, Seifert, Smith, Spilker, Stobie, Teague, Thoft, Uhde, Underdal, Vinger, Wyrick.
Total 40

Excused: Burnett, Gould, Kanduch, O'Connell.
Total 4

Absent or not voting: Bardanouve, Bengtson, Ellerd, Fagg, Oberg, Sales, Scully, Waldron.
Total 8

MESSAGES FROM THE OTHER HOUSE

House Bill indefinitely postponed and returned to the House: 4/9/79

House Bill No. 639, introduced by Lien, Manley, Conroy, Day, Burnett, et al

Conference Committee Report adopted: 4/6/79

Joint Conference Committee on House Bill No. 708

The Senate on 4/6/79, acceded to the request of the House of Representatives and dissolved the Conference Committee on House Bill No. 842 and appointed a Free Conference Committee on House Bill No. 842.

The President appointed the following members:

Senator Galt, Chairman
Senator Story
Senator Manley

MOTIONS

Dussault moved that SJR 29 be rereferred from the Committee on Rules to the Committee on Fish and Game. Motion carried.

Keedy moved that the Conference Committee on Senate Amendments to HB 877 be dissolved and that the Speaker be authorized to appoint a New Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to HB 877. Motion carried.

Hemstad moved that the House accede to the request of the Senate and return HJR 56 for further consideration. Motion carried. (54-37)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 370 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 84

Noes: Azzara, Bennett, Brand, Harper, McBride, Rosenthal.
Total 6

Excused: Burnett, Gould, Kanduch, O'Connell.
Total 4

Absent or not voting: Bardanouve, Keedy, Kemmis, Oberg, Reichert, Scully.
Total 6

Senate Bill No. 429 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Brand, Oberg, Pavlovich.
Total 3

Excused: Burnett, Gould, Kanduch, O'Connell.

Total 4

Absent or not voting: Bardanouve.
Total 1

Senate Joint Resolution No. 35 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bertelsen, Brand, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Fabrega, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hemstad, Holmes, Huennekens, Johnson, Johnston, Kemmis, Kessler, Keyser, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Scully, Shelden, Sivertsen, South, Spilker, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 64

Noes: Bennett, Conroy, Curtiss, Ellerd, Ernst, Eudaily, Fagg, Hayne, Hirsch, Hurwitz, Iverson, Jensen, Keedy, Kropp, Kvaalen, Marks, Moore, Oberg, Roth, Sales, Schultz, Seifert, Smith, Stobie, Thoft, Underdal, Vinger, Wood, Wyrick.
Total 29

Excused: Burnett, Gould, Kanduch, O'Connell.
Total 4

Absent or not voting: Bardanouve, K. Robbins, Staigmiller.
Total 3

Conference Committee Report on Senate Amendments to House Bill No. 442 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Johnson, Johnston, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Scully, Shelden, Sivertsen, South, Spilker, Stobie, Teague, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 74

Noes: Conroy, Dussault, Hurwitz, Jensen, Keedy, Marks, Moore, Oberg, K. Robbins, Rosenthal, Roth, Schultz, Seifert, Smith, Staigmiller, Thoft, Tropila, Vinger.
Total 18

Excused: Burnett, Gould, Kanduch, O'Connell.
Total 4

Absent or not voting: Bardanouve, Ellison, Kropp, Sales.
Total 4

Free Conference Committee Report on House Bill No. 682 was adopted by the following vote:

Ayes: Azzara, Baeth, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens,

Hurwitz, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Brand, Rosenthal.
Total 2

Excused: Burnett, Gould, Kanduch, O'Connell.
Total 4

Absent or not voting: Anderson, Bardanouve.
Total 2

Conference Committee Report on House Amendments to Senate Bill No. 2 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Stobie, Teague, Thoft, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Kvaalen, Seifert, Staigmiller, Tropila.
Total 4

Excused: Burnett, Gould, Kanduch, O'Connell.
Total 4

Absent or not voting: Ellerd.
Total 1

Governor's Amendments to Senate Bill No. 406 were adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Brand, Roth, Stobie.
Total 3

Excused: Burnett, Gould, Kanduch, O'Connell.
Total 4

Absent or not voting: None.
Total 0

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Moore in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 386 do pass. (74-12)

That HB 745 do pass. (85-1)

Kanduch present at this time.

Burnett present at this time.

That HJR 64, introduced bill, be amended as follows: (78-0)

1. Title, line 6.
Following: line 5
Strike: "ASSIGNMENT OF AN INTERIM COMMITTEE"
Insert: "THE DEPARTMENT OF ADMINISTRATION"

2. Page 3, line 2.
Following: "That"
Strike: "an interim committee"
Insert: "the department of administration"

3. Page 3, line 21.
Following: "(3)"
Strike: "That the committee prepare a"
Insert: "The department of administration shall submit semiannual progress reports to the legislative council, and its final"

And as amended, do pass. (62-31)

Marks replaced Moore in the Chair.

That HR 3 be adopted. (58-32)

That SB 164 be concurred in. (85-2)

Moore back in the Chair.

That SB 234 be concurred in. (53-34)

That SB 235 be concurred in. (52-36)

That SB 286 be concurred in. Motion failed. (48-48)

That SB 286 be not concurred in. Motion failed. (47-51)

Dussault moved that the House reconsider its action in failing to concur in SB 286. Motion carried. (58-40)

That SB 286 be concurred in. (53-44)

That SJR 30 be concurred in. (75-10)

That Free CC on HB 634 be adopted. (73-6)

Brand moved that the Free CC on HB 768 pass consideration for the day. Motion carried.

That Free CC on SB 106 be rejected. (77-3)

That Free CC on SB 284 be adopted. (84-0)

That the Committee rise and report. (Moore, Chairman). Moore moved that the committee report be deemed read. Motion carried. Report adopted. (75-14)

REPORTS OF STANDING COMMITTEES

Dussault moved that all printing reports be deemed read this day. Motion carried.

BILLS (Metcalf, Chairman): 4/9/79

Correctly printed - HB 891.

Correctly enrolled - HB 181, HB 191, HB 334, HB 471, HB 489, HB 608, HB 702, HB 898, HR 4.

Will be signed by the Speaker at 3:00 p.m., 4/9/79 - SB 65, SB 265, SB 477.

Examined by the Sponsor and found to be correct - HB 181, HB 191, HB 334, HB 471, HB 489, HB 608, HB 702, HB 898, HR 4.

Will be signed by the Speaker on adjournment, 4/9/79 - HB 181, HB 191, HB 334, HB 471, HB 489, HB 608, HB 702, HB 898, HR 4.

Do Pass

APPROPRIATIONS (Bardanouve, Chairman): 4/9/79

HJR 65, introduced bill, be amended as follows:

1. Page 1, lines 15 and 16.
Following: "occur"
Strike: "because it cannot meet minimum health standards"

2. Page 2, line 6.
Strike: "additional"

3. Page 2, line 23.
Following: "community"
Insert: "and forest work camp"

And as amended, do pass. Report adopted.

SB 351, reference copy, be amended as follows: 4/7/79

1. Page 2, line 3.
Strike: "$21,500 a year"
Insert: "$20,276 in fiscal 1980 and $21,779 in fiscal 1981"

2. Page 2, line 6.
Strike: "$20,500 A YEAR"

Insert: "$19,843 in fiscal 1980 and $21,200 in fiscal 1981"

And as amended, be concurred in. Report adopted.

SB 372, third reading copy, second printing, be amended as follows: 4/9/79

1. Title, line 7.
Following: "EMPLOYERS;"
Insert: "DISQUALIFYING EMPLOYEES OF EDUCATIONAL INSTITUTIONS FOR BENEFITS DURING PERIODS BETWEEN REGULAR TERMS;"

2. Page 5.
Following: line 18
Insert: "SECTION 3. THERE IS A NEW MCA SECTION THAT READS:

Political subdivision tax levy to pay premiums. Notwithstanding any provisions of law to the contrary, all political subdivisions shall have authority to levy an annual property tax in the amount necessary to pay the premium for unemployment tax as herein authorized, even though as a result of such levy the maximum levy as otherwise restricted by law is exceeded thereby; provided that the revenues derived therefrom may not be used for any other purpose.

SECTION 4. THERE IS A NEW MCA SECTION THAT READS:

Nonpayment of benefits. Unemployment benefits based on service for an educational institution shall not be paid to an individual for any week of unemployment which begins during the period between 2 successive academic years or during a similar period between two regular terms, whether or not successive, if the individual has a contract to perform services in any capacity for the educational institution for both academic years or both terms."
Renumber: subsequent section

And as amended, be concurred in. Report adopted.

TAXATION (Huennekens, Chairman): 4/9/79
SB 50, be concurred in. Report adopted.
SB 177, be concurred in. Report adopted.
SB 325, be concurred in. Report adopted.
SB 463, be concurred in. Report adopted.

Adverse Committee Reports

TAXATION (Huennekens, Chairman): 4/9/79
SB 195, be not concurred in.
SB 312, be not concurred in.

REPORTS OF SELECT COMMITTEES

JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 475
Report No. 1, April 9, 1979

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 475, met April 9, 1979, and considered:

1. Senate Committee on Judiciary amendments to the third reading copy, dated March 15, 1979.

We recommend that:

1. the Senate recede from Committee amendment numbers 1 and 2 and the House accede to the Committee amendment number 3;

2. the reference (engrossed) copy of House Bill No. 475 read as specified in CLERICAL INSTRUCTIONS;

3. the Conference Committee Report to House Bill No. 475 be adopted.

CLERICAL INSTRUCTIONS:

1. Title, line 7.
Following: "~~10%~~"
Strike: "8%"
Insert: "10%"

2. Page 1, line 13.
Following: "~~10%~~"
Strike: "8%"
Insert: "10%"

FOR THE HOUSE:
KEMMIS
FAGG
VINCENT

FOR THE SENATE:
HAZELBAKER
BLAYLOCK
GALT

FREE JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 900
Report No. 1, April 9, 1979

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 900, met April 9, 1979, and considered:

1. Senate Committee of the Whole amendments to the third reading copy, dated March 27, 1979.

We recommend that:

1. the House accede to Committee of the Whole amendment numbers 1, 2, 3;

2. House Bill No. 900 be further amended as indicated in CLERICAL INSTRUCTION number 1;

3. the Free Conference Committee Report to House Bill No. 900 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 1, line 21.
Following: "AND"
Insert: "the other shall be"

FOR THE HOUSE:
WILLIAMS
JOHNSTON
NATHE

FOR THE SENATE:
E. SMITH
KOLSTAD
THIESSEN

MESSAGES FROM THE OTHER HOUSE

House Bill and House Joint Resolution not concurred in as amended and returned to the House: 4/9/79

House Bill No. 357, introduced by Ellis, Rasmussen

House Joint Resolution No. 58, introduced by Dussault, Scully, Quilici, Gerke, et al

House Bills and House Joint Resolution not concurred in and returned to the House: 4/9/79

House Bill No. 125, introduced by Reichert, Kemmis, Rosenthal, Oberg, et al

House Bill No. 584, introduced by Gerke

House Bill No. 754, introduced by Metcalf, Thomas, Kolstad, Hayne

House Bill No. 773, introduced by Seifert, Ellison, Marks, Uhde, et al

House Bill No. 901, introduced by Harper, Frates, Seifert, Kropp, et al

House Bill No. 919, introduced by Taxation Committee (Huennekens, Chairman)

House Joint Resolution No. 39, introduced by Brand, McBride, Baeth, Oberg, et al

MOTIONS

Lund moved that the House recall SB 319 from the Senate for further consideration. Motion carried. (68-25)

Dussault moved that the House accede to the request of the Senate and return HJR 61 for further consideration. Motion carried.

Underdal moved that the names of Senators Kolstad and Aklestad be added to HJR 67 as co-sponsors. Motion carried. (90-0)

Keedy moved that the Conference Committee on House Amendments to SB 106 be dissolved and the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on SB 106. Motion carried.

UNFINISHED BUSINESS

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on HB 842:

Day, Chairman
Kemmis
Nathe

Dussault moved that the House adjourn until 1:30 p.m., April 10, 1979.

Motion carried.

House adjourned at 4:37 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

EIGHTY-SECOND LEGISLATIVE DAY

Helena, Montana
April 10, 1979

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Gould, Oberg, O'Connell, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Seventy-eighth Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 4/10/79
Correctly printed - HJR 65.
Considered correctly engrossed - HB 386, HB 745.

Signed by the Speaker on adjournment, 4/9/79 - HB 181, HB 191, HB 334, HB 471, HB 489, HB 608, HB 702, HB 898, HR 4, SB 65, SB 265, SB 435, SB 477, SB 504.

Delivered to the Governor for his approval at 11:20 a.m., 4/10/79 - HB 181, HB 191, HB 334, HB 471, HB 489, HB 608, HB 702, HB 898.

Do Pass

STATE ADMINISTRATION (Brand, Chairman): 4/10/79
HJR 68, do pass. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable Harold Gerke 4/9/79
Speaker, House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that I have signed the following measures this date:

House Bill Nos. 14, 24, 57, 77, 82, 100, 112, 124, 176, 196, 259, 260, 283, 295, 298, 302, 329, 342, 350, 363, 371, 420, 424, 438, 453, 454, 456, 460, 487, 488, 490, 521, 532, 556, 566, 571, 579, 585, 596, 597, 603, 606, 620, 621, 688, 699, 712, 713, 718, 749, 751, 797, 819, 836, 850, 864, and 886.

Sincerely,

Thomas L. Judge
Governor

The Honorable William Mathers 4/9/79
President of the Senate
State Capitol
Helena, Montana 59601

The Honorable Harold Gerke

Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear President Mathers and Speaker Gerke:

In accordance with the power vested in me as Governor according to the Constitution and laws of the State of Montana, I hereby return Senate Bill No. 250, "AN ACT TO PROVIDE THAT A NOTICE OF BUYER'S INTEREST IN REAL PROPERTY MAY BE RECORDED WITH THE COUNTY CLERK AND RECORDER; AMENDING SECTIONS 7-4-2613 AND 7-4-2619, MCA.", with the attached amendment.

Senate Bill No. 250 has the effect of protecting a buyer in good faith from lienholders and creditors of the seller of the real property. In this respect the bill is needed legislation.

However, at the present time some buyers are advised of the legal deficiency of their property transaction by reason of the clerk and recorder's refusal to record any instrument relating to the property in question. My amendment would provide for the clerk and recorder to advise the buyer of any legal deficiencies in recording the real property which is the subject of the transaction. Thus, the buyer will continue to get the protection the present law provides while gaining the additional protection of this bill.

I urge your concurrence in this amendment.

Sincerely,

Thomas L. Judge
Governor

PROPOSED AMENDMENT TO SENATE BILL NO. 250

1. Amend page 3, line 25.
Following: "interest;"
Insert: "however, if the instrument of conveyance underlying a notice of buyer's interest would be unrecordable the clerk and recorder shall notify the buyer by certified mail that the underlying instrument is unrecordable and may be void."

The Honorable William Mathers 4/9/79
President of the Senate
State Capitol
Helena, Montana 59601

The Honorable Harold Gerke
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear President Mathers and Speaker Gerke:

In accordance with the power vested in me as Governor according to the Constitution and laws of the State of Montana, I hereby return House Bill No. 366, "AN ACT TO STREAMLINE THE VARIOUS METHODS OF ANNEXATION; ESTABLISHING THAT EACH ANNEXATION METHOD IS SEPARATE AND DISTINCT; AND AMENDING SECTION 7-2-4718, MCA.", with the attached amendments.

At the request of the sponsor of this bill, I am proposing these amendments in order to correct the codification instructions in this piece of legislation.

I urge your concurrence in these amendments.

Sincerely,

Thomas L. Judge
Governor

PROPOSED AMENDMENTS TO HOUSE BILL NO. 366

Amend reference bill copy as follows:

1. Page 2, line 25.
Following: "as"
Strike: "three"
Insert: "five"

2. Page 3, line 1.
Following: "43,"
Strike: "and"
Following: "44"
Insert: ", 45, and 46"

3. Page 3, line 3.
Following: "43,"
Strike: "or"
Following: "44"
Insert: ", 45, or 46"

The Honorable Harold Gerke 4/10/79
Speaker, House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Gerke:

This is to inform you that I have signed the following measure this date:

House Bill No. 833.

Sincerely,

Thomas L. Judge
Governor

MESSAGES FROM THE OTHER HOUSE

House Bill and House Joint Resolution concurred in as amended and returned to the House for concurrence in Senate Amendments: 4/7/79

House Bill No. 483, introduced by Bardanouve

House Joint Resolution No. 44, introduced by Tropila, Gerke, Moore, et al

The Senate on 4/9/79, acceded to the request of the House for the return of Senate Bill No. 500, introduced by Etchart, Dover, Graham, and is returning it to the House for further consideration.

The Senate on 4/9/79, dissolved the Conference Committee on Senate Amendments to House Bill No. 768 and appointed a Free Conference Committee to meet with a like committee of the House on House Bill No. 768.

The President appointed the following members:

Senator Severson, Chairman
Senator Towe
Senator Turnage

The Senate on 4/9/79, dissolved the Conference Committee on Senate Amendments to House Bill No. 877 and appointed a New Conference Committee to meet with a like committee of the House on Senate Amendments to House Bill No. 877.

The President appointed the following members:

Senator Lensink, Chairman
Senator Stimatz
Senator O'Hara

MOTIONS

Dussault moved that the Conference Committee on Senate Amendments to HB 759 be dissolved and that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on HB 759. Motion carried.

Harper moved that SB 372 be taken from Second Reading and referred to the Committee on Rules. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 448 was concurred in by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Moore, Nathe, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 82

Noes: Anderson, Curtiss, Marks, Meyer, Smith.
Total 5

Excused: Gould, Oberg, O'Connell.
Total 3

Absent or not voting: Bennett, Ellerd, Ellison, Fagg, Hand, Harrington, Kvaalen, Nordtvedt, Staigmiller, Waldron.
Total 10

Senate Bill No. 492 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H.

Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Nathe, Smith.
Total 2

Excused: Gould, Oberg, O'Connell.
Total 3

Absent or not voting: Ellerd, Fagg, Kvaalen, Marks.
Total 4

Free Conference Committee Report on House Bill No. 634 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, McBride, Magone, Manning, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 87

Noes: Bertelsen, Lund, Manuel, Moore, Smith, Uhde, Wood.
Total 7

Excused: Gould, Oberg, O'Connell.
Total 3

Absent or not voting: Ellerd, Fagg, Kvaalen.
Total 3

Free Conference Committee Report on Senate Bill No. 284 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Gould, Oberg, O'Connell.
Total 3

Absent or not voting: Ellerd, Fagg, Keedy, Kvaalen, Marks, Sivertsen. Total 6

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Tropila in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Teague moved that HB 507 be placed at the bottom of the Second Reading board this day. Motion carried. (45-42)

That HB 508 do pass. (68-23)

That HB 891, second reading copy, be amended as follows: (83-0)

1. Page 12.
Strike: "HOUSE BILL 891 + .5% (14-)"

2. Page 13.
Strike: "1978-1979 STATE ANNUAL SALARY MATRIX"

3. Page 14.
Strike: "HOUSE BILL 891 + .5% (14-) 1980-1981 STATE ANNUAL SALARY MATRIX"
Strike: "NOTE:
INCLUDES INSURANCE"

And as amended, do pass. (81-9)

That HJR 66 do pass. (83-5)

Teague moved that SB 50 and SB 177 be placed at the bottom of the Second Reading board this day. Motion carried.

That SB 325 do pass. (86-1)

Huennekens moved that SB 351 be placed at the bottom of the Second Reading board this day. Motion carried.

Ramirez moved that SB 463 pass consideration for the day. Motion carried.

Kemmis moved that CC on SA to HB 475 be placed at the bottom of the Second Reading board this day. Motion carried.

That Free CC on HB 768 be rejected. (77-2)

That Free CC on HB 900 be adopted. (83-1)

Burnett moved that HB 507 be placed at the bottom of the Second Reading board this day. Motion carried.

That SB 50 be concurred in. (82-0)

That SB 177 be concurred in. (84-0)

That SB 351 be concurred in. (67-15)

Kemmis moved that HB 475 pass consideration for the day. Motion carried.

Oberg present at this time.

That HB 507 do pass. (65-27)

That the Committee rise and report (Tropila, Chairman). Tropila moved that the Committee of the Whole Report be deemed read. Motion carried. Report adopted. (79-12)

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 4/10/79
Correctly enrolled - HB 457, HB 684, HB 811.

Examined by the Sponsor and found to be correct, 4/9/79 - HB 457, HB 684, HB 811.

Will be signed by the Speaker on adjournment, 4/10/79 - HB 457, HB 684, HB 811.

Do Pass

NATURAL RESOURCES (Shelden, Chairman): 4/10/79
HJR 67, do pass. Report adopted.

TAXATION (Huennekens, Chairman): 4/10/79
SB 306, third reading copy, be amended as follows:

1. Page 3, line 24.
Following: "exceed"
Strike: "10%"
Insert: "36%"

And as amended, be concurred in. Report adopted.

Adverse Committee Reports

TAXATION (Huennekens, Chairman): 4/10/79
SB 172, third reading copy, be amended as follows:

1. Page 1, line 24.
Following: "~~3/10~~"
Strike: "6/10"
Insert: "½"

2. Page 3, line 19.
Following: "~~3/10~~"
Strike: "6/10"
Insert: "½"

And as amended, be not concurred in.

Hirsch, Lien, Dozier, Harrington, H. Robbins, Gilligan, Nordtvedt, Daily, Iverson, Metcalf objected that SB 172 was reported out of committee with a be not concurred in recommendation and requested that the bill be referred to Second Reading.

REPORTS OF SELECT COMMITTEES

JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 678
Report No. 2, April 9, 1979

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 678, met April 9, 1979, and considered:

1. Senate Committee of the Whole amendments to the third reading copy, dated March 9, 1979.

We recommend that:

1. the House accede to Committee of the Whole amendment numbers 1 through 7;

2. the Conference Committee Report to House Bill No. 678 be adopted.

FOR THE HOUSE:	FOR THE SENATE:
SCULLY	TURNAGE
PISTORIA	LENSINK
FABREGA	S. BROWN

MOTIONS

Dussault moved that the rules be suspended to allow the following bills to be placed on Third Reading this day: HB 386, HB 507, HB 508, HB 891. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 386 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Eudaily, Fagg, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 76

Noes: Bardanouve, Burnett, Curtiss, Ernst, Kropp, Lund, Nathe, K. Robbins, Roth, Sales, Schultz, Smith, Thoft, Wyrick.
Total 14

Excused: Gould, O'Connell.
Total 2

Absent or not voting: Bertelsen, Brand, Ellerd, Fabrega, Feda, Keedy, Nordtvedt, Oberg.
Total 8

House Bill No. 507 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Eudaily, Fagg, Frates, Gesek, Gilligan, Hand, Harrington, Hirsch, Huennekens, Jensen, Kanduch, Kemmis, Kessler, Keyser, Kvaalen, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Pavlovich, Pistoria, Porter, Quilici, Rosenthal, Scully, Shelden, South,

Staigmiller, Stobie, Teague, Tropila, Vincent, Vinger, Waldron, Williams, Yardley, Mr. Speaker.
Total 57

Noes: Burnett, Conroy, Curtiss, Ernst, Harper, Hayne, Hemstad, Holmes, Hurwitz, Iverson, Johnson, Johnston, Keedy, Kropp, Lien, Lund, Meyer, Nathe, Nordtvedt, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, Spilker, Thoft, Uhde, Underdal, Wood, Wyrick.
Total 35

Excused: Gould, O'Connell.
Total 2

Absent or not voting: Brand, Ellerd, Ellison, Fabrega, Feda, Oberg.
Total 6

House Bill No. 508 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Eudaily, Fagg, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Scully, Seifert, Shelden, Sivertsen, South, Stobie, Teague, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Yardley, Mr. Speaker.
Total 69

Noes: Burnett, Conroy, Curtiss, Ernst, Hayne, Hurwitz, Jensen, Kropp, Meyer, Nordtvedt, Pistoria, K. Robbins, Roth, Sales, Schultz, Smith, Spilker, Staigmiller, Thoft, Underdal, Wood, Wyrick.
Total 22

Excused: Gould, O'Connell.
Total 2

Absent or not voting: Bardanouve, Brand, Ellerd, Fabrega, Feda, Keedy, Oberg.
Total 7

House Bill No. 891 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fagg, Frates, Gesek, Gilligan, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 82

Noes: Burnett, Curtiss, Harper, Hurwitz, Keedy, Sales, Smith, Thoft, Wood.
Total 9

Excused: Gould, O'Connell.
Total 2

Absent or not voting: Brand, Ellerd, Fabrega, Feda, Meyer, Oberg, H. Robbins.
Total 7

UNFINISHED BUSINESS

The Speaker appointed the following New Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to House Bill No. 877:

Kemmis, Chairman
Rosenthal
Stobie

The Speaker appointed the following New Free Conference Committee of three to meet with a like committee from the Senate on Senate Bill No. 106:

Keedy, Chairman
Uhde
Eudaily

Dussault moved that the House adjourn until 1:30 p.m., April 11, 1979.

Motion carried.

House adjourned at 4:41 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

EIGHTY-THIRD LEGISLATIVE DAY

Helena, Montana
April 11, 1979

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by Dr. K. Morgan Edwards of St. Paul's United Methodist Church. Pledge of Allegiance to the Flag.

Roll call. All members present except Ellerd, Feda, Gould, Quilici, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Seventy-ninth, Eightieth and Eighty-first Legislative Days, find the same to be correct.

METCALF, Chairman

COMMUNICATIONS AND PETITIONS

Dussault explained to the House members the decision reached by the Committee on Rules as to the procedure to override a Governor's veto.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 4/11/79
Correctly printed - HJR 67.
Considered correctly engrossed - HJR 66.
Correctly enrolled - HB 708, HR 3.

Examined by the Sponsor and found to be correct - HB 708, HR 3.

Will be signed by the Speaker on adjournment, 4/11/79 - HB 708, HR 3.

Signed by the Speaker on adjournment, 4/10/79 - HB 457, HB 684, HB 811.

Do Pass

FISH AND GAME (Staigmiller, Chairman): 4/11/79
SJR 29, be concurred in. Report adopted.

TAXATION (Huennekens, Chairman): 4/10/79
SB 71, be concurred in. Report adopted.
SB 75, be concurred in. Report adopted.
SB 415, be concurred in. Report adopted.
SB 521, be concurred in. Report adopted.

Adverse Committee Reports

TAXATION (Huennekens, Chairman): 4/10/79
SB 416, be not concurred in.

On motion by Huennekens, the Adverse Committee Report on SB 195 was adopted by the following vote: (75-13)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Metcalf, Meyer, Moore, O'Connell, Pavlovich, Pistoria, Porter, Reichert, H. Robbins, K.

Robbins, Rosenthal, Roth, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Thoft, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 75

Noes: Brand, Daily, Hayne, Hemstad, Holmes, Lien, Nathe, Nordtvedt, Sales, Stobie, Teague, Tropila, Underdal.
Total 13

Excused: Ellerd, Feda, Gould, Quilici.
Total 4

Absent or not voting: Burnett, Fagg, Kvaalen, Menahan, Oberg, Ramirez, Scully, South.
Total 8

On motion by Huennekens, the Adverse Committee Report on SB 312 was adopted by the following vote: (84-7)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Manning, Manuel, Marks, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pistoria, Porter, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Yardley, Mr. Speaker.
Total 84

Noes: Brand, Magone, Oberg, Pavlovich, Teague, Waldron, Wyrick.
Total 7

Excused: Ellerd, Feda, Gould, Quilici.
Total 4

Absent or not voting: Menahan, Ramirez, K. Robbins, Scully, South.
Total 5

REPORTS OF SELECT COMMITTEES

FREE JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 842
Report No. 1, April 10, 1979

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 842, met April 9, 1979, and considered:

1. Senate Committee on Natural Resources amendments to the third reading copy, dated March 15, 1979.

We recommend that:

1. the House accede to the Committee amendment numbers 1 and 2;

2. House Bill No. 842 be further amended as indicated in CLERICAL INSTRUCTION numbers 1 through 13;

3. the Conference Committee Report to House Bill No. 842 be adopted.

CLERICAL INSTRUCTIONS:

1. Title, line 6.
Following: "~~IN-STREAM~~"
Strike: "MINIMUM"
Insert: "IN-STREAM"

2. Title, lines 10 and 11.
Following: "RESERVATIONS"
Strike: remainder of line 10 through "RESERVATIONS" on line 11

3. Page 3, lines 22 through 24.
Following: "of the"
Strike: "historic low flow as determined by the department at such point on the stream or river"
Insert: "50% of the average annual flow of record on gauged streams. Ungauged streams can be allocated at the discretion of the board"

4. Page 3, line 25 through page 4, line 3.
Strike: page 3, line 25 through page 4, line 3 in their entirety
Renumber: subsequent subsections

5. Page 4, line 11.
Following: "district"
Insert: "for agricultural purposes"

6. Page 4, lines 11 and 12.
Following: "district"
Strike: "may apply to"
Insert: "must inform"
Following: "department"
Strike: "for a permit under 85-2-302, the"
Insert: "of the desired use. The"

7. Page 4, line 13.
Following: "of"
Strike: "permits issued for"
Insert: "all uses of"

8. Page 4, lines 16 through 19.
Following: "districts."
Strike: remainder of line 16 through line 19 in their entirety
Insert: "No such use may be permitted without conservation district's concurrence."

9. Page 5, line 12.
Following: "that"
Insert: "all or part of the reservation is not required for its purpose and that the"

10. Page 5, lines 14 through 17.
Following: "reservant."
Strike: remainder of lines 14 through 17 in their entirety
Insert: "The board may not reallocate water reserved under this section on any stream or river more frequently than once every 5 years. Whenever water is reallocated, the priority date of the new use is the date of reallocation, not the date of the original reservation."

11. Page 5, line 18.
Following: "(12)"
Strike: "The"

Insert: "Notwithstanding the provisions of 85-2-401, the"

12. Page 5, line 19.
Following: line 18
Strike: "preference"
Insert: "priority"

13. Page 5, lines 22 through 24.
Following: "(c)"
Strike: remainder of lines 22 through 24 in their entirety
Insert: "other uses."

FOR THE HOUSE: FOR THE SENATE:

DAY GALT
KEMMIS STORY
NATHE MANLEY

FREE CONFERENCE COMMITTEE
ON SENATE BILL NO. 170
Report No. 1, April 9, 1979

Mr. President and Speaker of the House:

We, your Free Conference Committee on Senate Bill No. 170, met on April 5, 1979, and considered:

1. House Committee of the Whole amendments, dated March 5, 1979, third reading copy; and

2. House Committee of the Whole amendments, dated March 7, 1979, third reading copy.

We recommend that:

1. the Senate accede to Committee of the Whole amendments, dated March 5, 1979, numbers 1 and 2;

2. the House recede from Committee of the Whole amendments, dated March 7, 1979, number 3 and the Senate accede to Committee of the Whole amendment numbers 1 and 2;

3. the reference copy of Senate Bill No. 170 read as specified in the CLERICAL INSTRUCTIONS;

4. the Free Conference Committee Report to Senate Bill No. 170 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 2, lines 18 through 20.
Following: "~~REGISTRATION.~~"
Strike: remainder of lines 18 through 20 in their entirety
Insert: "THIS SECTION DOES NOT APPLY TO THE RIGHT OF ACCESS EITHER BY MONTANA LAW ENFORCEMENT AGENCIES OR, BY PURCHASE OR OTHERWISE, OF PUBLIC RECORDS DEALING WITH MOTOR VEHICLE REGISTRATION."

FOR THE HOUSE: FOR THE SENATE:

DASSINGER RASMUSSEN
OBERG TOWE
ELLERD HAGER

FREE CONFERENCE COMMITTEE
ON SENATE BILL NO. 217
Report No. 1, April 5, 1979

Mr. President and Speaker of the House:

We, your Free Conference Committee on Senate Bill No. 217, met on April 5, 1979, and considered:

1. House Judiciary Committee amendments, dated March 19, 1979, third reading copy.

We recommend that:

1. the House recede from Standing Committee amendment numbers 1 through 56;

2. Senate Bill No. 217 be further amended as indicated in CLERICAL INSTRUCTIONS;

3. the reference copy of Senate Bill No. 217 read as specified in the CLERICAL INSTRUCTIONS;

4. the Free Conference Committee Report on Senate Bill No. 217 be adopted.

CLERICAL INSTRUCTIONS:

1. Title, line 5.
Following: line 4
Strike: "A REMEDY"
Insert: "REMEDIES"

2. Title, line 6.
Following: "DAMAGES"
Insert: "AND A MOTION FOR SUPPRESSION"
Following: "A"
Strike: "SUBSTANTIAL"

3. Title, line 10.
Following: "SEIZURE"
Strike: "AND TO REVISE THE EXCLUSIONARY RULE, RELATING TO THE"
Insert: "IN LIEU OF"

4. Page 1, line 19.
Following: line 18
Strike: the entire bill following the enacting clause
Insert: "**NEW SECTION.** Section 1. Short title. [Sections 1 through 16] may be cited as the 'Montana Civil Rights and Claims Act'.

NEW SECTION. Section 2. Exclusive remedies. [Sections 1 through 16] provide the exclusive remedies in the state of Montana for the violation of the rights of a person that are protected by the fourth amendment of the United States constitution; or Article II, sections 10 or 11, of the Montana constitution; or the laws of Montana relating to search and seizure caused or committed in violation of the constitutional or statutory rights of another by an employee or agent of the state or any of its political subdivisions.

NEW SECTION. Section 3. Cause of action for damages — admissibility of evidence. (1) Any person subject to search or seizure has a cause of action for damages under [sections 1 through 16] if

the search or seizure is in violation of the fourth amendment of the United States constitution; or Article II, sections 10 or 11, of the Montana constitution; or the laws of Montana relating to search and seizure against any agent or employee of the state or any of its political subdivisions who knowingly causes or commits a violation of the constitutional or statutory rights of another.

(2) Persons, papers, homes, effects, or other things searched or seized in violation of the fourth amendment of the United States constitution; or Article II, sections 10 or 11 of the Montana constitution; or the laws of Montana relating to search and seizure, if otherwise admissible, may not be excluded from use in any criminal proceeding because of such violation except as provided in [section 16].

NEW SECTION. Section 4. Civil liability. (1) Civil liability under [sections 1 through 16] is based upon proof by a preponderance of the evidence that there was a violation of the rights of a person that are protected by the fourth amendment of the United States constitution; or Article II, sections 10 or 11 of the Montana constitution; or the laws of Montana relating to search and seizure knowingly committed or caused by an employee or agent of the state or any of its political subdivisions.

(2) The governmental agency employing or controlling an employee or agent of the state or any of its political subdivisions is liable for violations under [sections 1 through 16] whenever such violations are committed or caused by the employee or agent while acting within the scope of his employment or under color of law. It is not a defense that the act causing the violation was illegal.

(3) Whenever an employee or agent of the state or any of its political subdivisions causes or commits a violation under [sections 1 through 16] while acting outside the scope of his employment and not under color of law, he is personally liable to the person whose rights were violated.

NEW SECTION. Section 5. Damages. (1) Whenever it is determined that there was a violation of a constitutional or statutory right, a claimant may be awarded reasonable compensation for:

(a) property damage;

(b) personal damage;

(c) attorney fees; and

(d) costs.

(2) The limitations on damages contained in sections 2-9-104 and 2-9-105, MCA, concerning suits against the state or any political subdivision shall not apply.

NEW SECTION. Section 6. Waiver of sovereign immunity. The state, counties, cities, towns and all other local governmental entities shall have no immunity from suit for a cause of action under [sections 1 through 16].

NEW SECTION. Section 7. Jurisdiction. The district court has jurisdiction over any action brought under [sections 1 through 16] provided however that any district court judge who has passed upon the sufficiency of any process involved in the search or seizure, or who has been involved in the criminal trial of a person who brings

a suit under [sections 1 through 16] shall be disqualified to sit and act on a cause of action under [sections 1 through 16] except to arrange the calendar, to transfer the action to another court and to call in another judge to sit and act. Such actions are governed by the Montana Rules of Civil Procedure and the Montana Rules of Evidence insofar as they are consistent with [sections 1 through 16].

NEW SECTION. Section 8. Venue. Civil actions brought against the state or any of its political subdivisions under [sections 1 through 16] shall be brought in Lewis and Clark County or the county where the substantial violation occurred.

NEW SECTION. Section 9. Statute of limitations. Each civil cause of action permitted under [sections 1 through 16] is forever barred unless an action is begun within 2 years after the violation occurs.

NEW SECTION. Section 10. Judgment as obligation of state or political subdivisions. A final judgment against the state or a political subdivision is an obligation of the state or the political subdivision and shall be paid in the same manner as any other claim against the state or political subdivision.

NEW SECTION. Section 11. Appeal — bond not required of state or political subdivisions. The right of appeal from final judgment in the district court shall be filed directly with the supreme court of Montana in the manner provided by law for appeals from the district court in civil cases, except that the state or political subdivision is not required to post a bond either on appeal or at any time during the litigation.

NEW SECTION. Section 12. Disciplinary action. (1) An employee or agent of the state or any of its political subdivisions who is determined by the district court to have knowingly violated the constitutional or statutory rights of a person shall be suspended or dismissed as follows:

(a) Upon the first occurrence, he shall be suspended for 30 days.

(b) Upon the second occurrence, he shall be suspended for 90 days.

(c) Upon the third occurrence, he shall be suspended for 6 months.

(d) Upon the fourth occurrence, he shall be permanently dismissed.

(2) No employee or agent of the state or any of its political subdivisions shall be suspended or dismissed if the agent or employee committing or causing the violation acted in good faith and believed his conduct comported with existing law and he had reasonable grounds for this belief.

NEW SECTION. Section 13. No effect on causes of action arising under the Montana Comprehensive State Insurance Plan and Tort Claims Act, except as provided in [section 5]. Nothing in [sections 1 through 16] affects any cause of action arising under Title 2, chapter 9, parts 1 through 3, popularly known as the Montana Comprehensive State Insurance Plan and Tort Claims Act.

NEW SECTION. Section 14. Criminal liability. Nothing in [sections 1 through 16] affects the criminal liability of an employee or agent of the state or any of its political subdivisions.

Section 15. Section 46-5-104, MCA, is amended to read:

'46-5-104. Admissibility in other proceedings. Instruments, articles, or things ~~lawfully~~ seized are admissible as evidence upon any prosecution or proceeding whether or not the prosecution or proceeding is for the offense in connection with which the search or seizure was originally made except as provided in [section 16].'

Section 16. Section 46-13-302, MCA, is amended to read:

'46-13-302. Motion to suppress evidence ~~illegally~~ seized. (1) A defendant aggrieved by ~~an unlawful~~ a search ~~and~~ or seizure made in violation of the fourth amendment of the constitution of the United States; Article II, sections 10 or 11 of the Montana constitution; or the laws of Montana relating to search and seizure may move the court to suppress as evidence anything so obtained. The motion shall be in writing and state facts showing wherein the search ~~and~~ or seizure ~~were unlawful~~ was a violation of constitutional or statutory rights.

(2) The motion shall be made before trial unless for good cause shown the court shall otherwise direct.

(3) The defendant shall give at least 10 days' notice of such motion to the attorney prosecuting or such other time as the court may direct. The defendant shall serve a copy of the notice and motion upon the attorney prosecuting.

(4) ~~If the allegations of the motion state facts which if true show that the search and seizure were unlawful, the~~ The court shall conduct a hearing into the merits of the motion. ~~The burden of proving that the search and seizure were unlawful shall be on the defendant.~~

~~(5)~~ If the motion is granted, the evidence shall not be admissible against the movant at any trial of the case. The court shall not exclude such evidence unless the violation was knowingly caused or committed and was an unconscionable violation of the constitutional or statutory rights protected by the fourth amendment of the United States constitution; or Article II, sections 10 or 11 of the Montana constitution; or the laws of Montana relating to search and seizure.'"

FOR THE HOUSE:

YARDLEY
KEMMIS
RAMIREZ

FOR THE SENATE:

B. BROWN
TURNAGE
STIMATZ

MESSAGES FROM THE GOVERNOR

The Honorable Harold Gerke
Speaker, House of Representatives
State Capitol
Helena, Montana 59601

4/10/79

Dear Mr. Speaker:

This is to inform you that I have signed the following measures this date:

House Bill Nos. 717 and 875.

Sincerely,

Thomas L. Judge
Governor

The Honorable Harold Gerke
Speaker, House of Representatives
State Capitol
Helena, Montana 59601

4/10/79

Dear Mr. Speaker:

This is to inform you that I have signed the following measures this date:

House Bill Nos. 675, 783 and 863.

Sincerely,

Thomas L. Judge
Governor

The Honorable William Mathers
President of the Senate
State Capitol
Helena, Montana 59601

4/10/79

The Honorable Harold Gerke
Speaker of the House
State Capitol
Helena, Montana 59601

Dear President Mathers and Speaker Gerke:

In accordance with the power vested in me as Governor by the constitution and the laws of the State of Montana, I hereby veto House Bill No. 452, "AN ACT TO AMEND SECTION 75-20-202, MCA, OF THE MONTANA MAJOR FACILITY SITING ACT TO CURE ANY POSSIBLE PROCEDURAL DEFICIENCY IN THE HEARING PROCESS FOR ELECTRIC GENERATING FACILITIES AND ASSOCIATED FACILITIES THAT HAVE BEEN THE SUBJECT OF AN ADMINISTRATIVE HEARING THAT COMMENCED PRIOR TO JANUARY 1, 1979, BY PROVIDING LEGISLATIVE RATIFICATION OF ANY CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED FOR SUCH FACILITIES AND ASSOCIATED FACILITIES ISSUED BY THE BOARD OF NATURAL RESOURCES AND CONSERVATION WHICH MAY BE AFFECTED BY ANY PROCEDURAL DEFICIENCY IN THE HEARING PROCESS; PROVIDING THAT THE CONSTRUCTION AND OPERATION OF SUCH FACILITIES AND ASSOCIATED FACILITIES SHALL COMPLY WITH THE TERMS AND CONDITIONS OF SUCH CERTIFICATE AS ORIGINALLY ISSUED OR AS THE TERMS AND CONDITIONS OF SUCH CERTIFICATE ARE AMENDED PURSUANT TO THE AMENDMENT PROCEDURES OF THE MONTANA MAJOR FACILITY SITING ACT; AND PROVIDING AN EFFECTIVE DATE."

House Bill No. 452 is special legislation. I have not, and will not, lend the authority of this office to extend special privilege to the Montana Power Company or to anyone else. True equality may be an impossibility, but legislated inequality is intolerable.

This bill seeks to circumvent the duly established processes of law and it proposes to avoid pending judicial action.

House Bill No. 452 is a hybrid piece of legislation intended to cure, validate and circumvent, but it may ultimately only guarantee a new round of litigation and consequent delay.

Our energy needs in this state and this region are critical and I continue to support the construction of Colstrip 3 and 4. I appreciate, and I share, the justifiable frustration of members of this legislature, and the public we all represent, as they view the seemingly endless process for certification of Colstrip 3 and 4. That unwieldy and expensive process needs revision and I have proposed legislation that would streamline the major facility siting act.

Six years is too long, but House Bill No. 452 is not the answer. It subverts the process, interferes with judicial decision making, adds new confusion, and virtually guarantees new litigation. House Bill No. 452, if passed will be counterproductive. This legislation raises the most complex legal issues in an attempt to cure past procedural errors. It raises issues of definition over which lawyers will argue and the courts will mull for years to come. It raises the spectre of unknown constitutional questions. It is legislation special in nature, curative in design, confusing in legal contemplation and sure to generate delay.

Signing House Bill No. 452 would be a disservice to the people of Montana and to the accepted processes of state government, and to the energy needs of this state ... any one of those reasons require rejection of this bill; taken together they are a command to veto.

For these reasons, I veto House Bill No. 452.

Sincerely,

Thomas L. Judge
Governor

The Honorable William Mathers
President of the Senate
State Capitol
Helena, Montana 59601

4/10/79

The Honorable Harold Gerke
Speaker of the House
State Capitol
Helena, Montana 59601

Dear President Mathers and Speaker Gerke:

Pursuant to the authority vested in me as Governor according to the laws and Constitution of Montana, I hereby veto House Bill 555, "AN ACT TO PROHIBIT THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FROM CONSTRUCTING, OPERATING, AND MAINTAINING WATER PROJECTS FOR THE DEVELOPMENT OF POWER AND TO PROVIDE FOR POWER GENERATION AT TOSTON DAM; AMENDING SECTION 85-1-102, MCA; PROVIDING AN EFFECTIVE DATE."

The bill, as amended by the Legislature, contains two features to which I strongly object. The first is the removal of the existing authority of the Department of Natural Resources and Conservation to construct, operate, and maintain water projects for hydroelectric generation; the second is the requirement that 50% of all revenues received by the Department from the lease of the state-owned Toston Dam to a private utility company or rural electric cooperative for power generation purposes be reserved solely

for the maintenance and repair of the Toston Dam and its associated irrigation facilities.

As to the first feature to which I object, the state government has had the authority to install hydroelectric generation facilities on its water projects since 1935, although it has never been exercised. However, with the development of improved technology for the generation of power from low-head water projects, and the increasing costs of producing electrical power by other methods, it now appears feasible to generate power from several of the state's existing water projects. The Department is currently studying in more detail this possibility on the Toston Dam under a grant from the U.S. Department of Energy.

Since it now appears feasible to install hydroelectric generation facilities on several state-owned water projects, it is essential that the state retain the legal authority to construct, operate, and maintain such facilities itself, for the following reasons:

(1) The state will be in a much more favorable bargaining position to maximize the revenue it could obtain from leasing a water project to an electric utility or cooperative. There is a high potential that the state may receive substantial revenues from the lease of its water projects for hydroelectric generation purposes, which could be earmarked for the repair and maintenance of many of those projects which are seriously deteriorated or unsafe. Without having the authority to install hydroelectric generation facilities itself, the state's bargaining position is considerably weakened;

(2) Because of the state's ability to sell revenue bonds to finance the construction of hydroelectric generation facilities, it may be cheaper for the state to construct such facilities than it would for an electric utility or cooperative, thereby reducing electrical rates to the consumers of electricity;

(3) There may be instances on projects other than the Toston Dam where an electric utility or cooperative will be unable or unwilling to construct the generation facilities.

Finally, as to the second objectionable feature of this legislation, I believe it would be a serious mistake to earmark a specific percentage of the lease revenues from any project for repair and maintenance of that project. A fixed percentage earmarks an arbitrary amount of revenue to that project when there is no way of knowing how much total revenue will be taken in from the lease of the project; the amount earmarked may bear no relationship to the actual amount needed.

In summary, House Bill 555 is ill-conceived legislation. It attempts to address a special situation on the Toston Dam with legislation that will apply statewide. But most importantly, it severely restricts the state's ability to exercise needed options to address our energy supply situation while at the same time implementing a promising plan to repair state-owned water projects.

Sincerely,

Thomas L. Judge
Governor

The Honorable William Mathers
President of the Senate
State Capitol
Helena, Montana 59601

4/10/79

The Honorable Harold Gerke
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear President Mathers and Speaker Gerke:

In accordance with the power vested in me as Governor according to the laws and the Constitution of the State of Montana, I hereby return House Bill No. 12, "AN ACT TO INSURE APPROPRIATE, ECONOMICAL, AND EFFICIENT USE OF ATTORNEYS BY THE EXECUTIVE BRANCH; TO PROVIDE A LEGAL ASSISTANCE PROGRAM IN THE OFFICE OF THE ATTORNEY GENERAL; AND TO CREATE A LEGAL SERVICES REVIEW BOARD.", without my signature and recommend the enclosed amendment.

According to its preamble, House Bill No. 12 would limit the use of retained counsel by state government agencies and instead encourage agencies to develop their own staff counsel and use a special pool of attorneys in the Attorney General's office.

The first paragraph of the preamble recites that "the employment of experienced, full-time staff attorneys by the executive branch is an economical, efficient, and effective means of meeting the state's legal services needs". I agree with this statement and would observe that during my experience in state government there has been a substantial trend away from retained, private counsel by state agencies to employment by agencies of their own staff counsel. This trend has been both cost-efficient and necessary.

Section 3 of House Bill No. 12, however, is in conflict with the stated intention of the bill. It provides, in pertinent part, that a state executive agency may not "hire full-time staff attorneys in excess of the number employed on August 4, 1978, without the express consent of the legislature." Consequently, a state agency which has an increased legal service workload will not be able to meet it by hiring a staff attorney even if it has the spending authority to do so. Those agencies who happen to have had a vacancy in a legal position on August 4, 1978, would now lose that position.

The harmful effect of this provision may best be illustrated by considering one state agency, the Department of Natural Resources. Under legislation which is very likely to be enacted by this legislature, the department will have a substantially increased workload under the Montana Water Use Act. Since the speeded up adjudication process involving all water basins in the state will occur in district courts, the department will certainly need more attorneys to meet its increased responsibilities. Under House Bill No. 12 as presently written, the department could not hire such staff attorneys.

A further problem with the language I have referred to concerns the provision that the number of staff attorneys may not exceed those employed on August 4, 1978, "without the express consent of the legislature". It is nowhere stated how the legislature is to give its consent. Is approval of an agency budget sufficient consent? Or is it necessary for an agency to submit legislation in order to secure consent from the legislature? The bill is not clear at all in this respect.

My proposed amendment would delete the language which restricts the

ability of state agencies to meet their legal needs by having staff counsel. I urge your concurrence in the amendment.

Sincerely,

Thomas L. Judge
Governor

House Bill No. 12, reference bill, second printing, to be amended as follows:

1. Page 3, line 8.
Following: "appropriation"
Strike: "; however, this does not authorize a state executive agency to hire full-time staff attorneys in excess of the number employed on August 4, 1978, without the express consent of the legislature"

The Honorable William Mathers 4/10/79
President of the Senate
State Capitol
Helena, Montana 59601

The Honorable Harold Gerke
Speaker of the House
State Capitol
Helena, Montana 59601

Dear President Mathers and Speaker Gerke:

In accordance with the power vested in me as Governor according to the laws and the Constitution of the State of Montana, I hereby return House Bill No. 436, "AN ACT TO CONTROL THE PRODUCTION AND USE OF PRINTED MATTER OF ALL KINDS BY STATE GOVERNMENT; REQUIRING FULL DISCLOSURE OF THE COST OF PRINTING AND CIRCULATION OF THE PRINTED MATTER.", without my signature and recommend the attached amendments.

The stated purpose of House Bill No. 436 is the control of the cost of publications of state agencies. This is a laudable goal, and one with which all branches of government should be concerned. House Bill No. 436, however, while requiring additional red tape of state agencies, will not save one cent of state money. In fact, this legislation will only work to increase the very costs it purports to reduce.

House Bill No. 436 would require that each publication of a state agency include the cost of publication and circulation on the cover. It includes nothing which would prevent publication in the first place or, at least, insure that the publication was done in the most economical or efficient manner possible. The end result of House Bill No. 436 in its present form would be to increase the cost of publication by requiring elaborate cost accounting systems to account for the costs of each publication, especially for the units of the University System.

Because I am as concerned about the cost of publications by state agencies as is the Legislature, I am proposing amendments which, if adopted, will create a Publishing Policy Committee which would be charged with adopting standards for the economical printing of state publications and reviewing and approving proposals for publications prior to their actually being printed. These proposed amendments, will insure that House Bill No. 436 will indeed help control the production of printed matter by state government.

I urge your concurrence in this amendment.

Sincerely,

Thomas L. Judge
Governor

PROPOSED AMENDMENTS TO HOUSE BILL NO. 436

That House bill No. 436, reference bill, be amended as follows:

1. Page 1, line 23 through line 3 on page 2.
Following: "Definitions."
Strike: remainder of line 23 on page 1 through line 3 on page 2 in their entirety
Insert: "As used in [this act], the following definitions apply:

(1) The term 'public document' includes any publication of a state agency meant for dissemination to the public, but does not include educational materials published by a unit of the university system or the superintendent of public instruction, reports of the legislative auditor, travel promotion materials, standard forms, bid specifications, opinions of the attorney general, opinions of the supreme court, session laws, the administrative rules of Montana, Montana code annotated, regular periodical publications sold to the general public solely through subscription and newsstand sale, or a publication specifically exempted by the publishing policy committee when inclusion of that publication under [this act] is not considered in the best interests of the state."

2. Page 2.
Following: line 12
Insert: "(4) The term 'committee' means the publishing policy committee created in [section 3].

SECTION 3. THERE IS A NEW MCA SECTION THAT READS:

Publishing policy committee. (1) There is a publishing policy committee.

(2) The committee consists of the budget director, the director of administration, and a director of a state department designated by the governor.

(3) The committee shall:

(a) adopt standards for the efficient and economical publication of public documents;

(b) review proposals for publishing of all public documents prior to publication to determine:

(i) that the publication is necessary; and

(ii) that the publication meets the standards of efficient and economical publication; and

(c) prepare a report for submission to each legislature detailing the savings to state government resulting from [this act]."
Renumber: subsequent sections

3. Page 3, line 7.
Following: "except"
Strike: "in accordance with [this act]"
Insert: "with approval of the committee"

4. Page 3, line 25.

Following: "rule."

Insert: "If the committee determines that the cost of publication cannot be reasonably estimated at the time of publication, the publications shall contain the following statement on the exterior cover in lieu of the statement concerning estimated cost: 'This document printed at state expense. Information on the cost of publication can be obtained by writing department of administration, Helena, Montana'."

MESSAGES FROM THE OTHER HOUSE

The Senate on 4/10/79, failed to concur in House Amendments to Senate Bill No. 76 and appointed a Free Conference Committee and requested that the House appoint a like committee to meet with the Senate to concur on Senate Bill No. 76.

The President appointed the following members:

Senator Galt, Chairman
Senator Story
Senator Boylan

The Senate on 4/10/79, acceded to the request of the House of Representatives and appointed a Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 461.

The President appointed the following members:

Senator Turnage, Chairman
Senator Towe
Senator O'Hara

The Senate on 4/10/79, dissolved the Conference Committee on House Bill No. 759 and appointed a Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 759.

The President appointed the following members:

Senator Roskie, Chairman
Senator Story
Senator Manley

The Senate on 4/10/79, dissolved the Conference Committee on House Bill No. 616 and appointed a Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 616.

The President appointed the following members:

Senator Roskie, Chairman
Senator Thomas
Senator Lockrem

The Senate on 4/10/79, dissolved the Conference Committee on House Bill No. 190 and appointed a Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 190.

The President appointed the following members:

Senator Lowe, Chairman
Senator Aklestad
Senator Mehrens

The Senate on 4/10/79, dissolved the Free Conference Committee on Senate Bill No. 106 and appointed a New Free Conference Committee to

meet with a like committee from the House to confer on Senate Bill No. 106.

The President appointed the following members:

Senator B. Brown, Chairman
Senator McCallum
Senator S. Brown

Conference Committee Reports adopted: 4/10/79

Free Conference Committee Report on Senate Bill No. 284

Free Conference Committee Report on House Bill No. 237

Free Conference Committee Report on House Bill No. 634

Free Conference Committee Report on House Bill No. 682

Free Conference Committee Report on House Joint Resolution No. 19

The Senate on 4/10/79, requested the return of the following House Bills and House Joint Resolutions for further consideration:

House Bill No. 754, introduced by Metcalf, Thomas, Kolstad, et al

House Bill No. 919, introduced by Taxation Committee (Huennekens, Chairman)

House Joint Resolution No. 39, introduced by Brand, McBride, et al

House Joint Resolution No. 58, introduced by Dussault, Scully, Quilici, et al

House Bill not concurred in and returned to the House: 4/10/79

House Bill No. 849, introduced by Johnson, Manuel, Marks, Fasbender

Conference Committee Report adopted: 4/5/79

Joint Conference Committee Report on Senate Bill No. 263

Conference Committee Report adopted: 4/6/79

Free Conference Committee Report on Senate Bill No. 497

MOTIONS

Dussault moved that the Conference Committee on Senate Amendments to HB 877 be dissolved and that the Speaker be authorized to appoint a New Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to HB 877. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on SB 76. Motion carried.

Dussault moved that the Governor's Amendments to HB 366, HB 12, HB 436 be placed on Second Reading on the Eighty-fourth Legislative Day. Motion carried.

Dussualt moved that the House accede to the request of the Senate and return HB 754, HB 919, HJR 39, HJR 58 for further consideration. Motion carried.

Harper moved that the Conference Committee on Senate Amendments to HB 190 be dissolved and that the Speaker be authorized to appoint a

Free Conference Committee of three to meet with a like committee from the Senate on HB 190. Motion carried.

Conroy moved that the House vote to override the Governor's veto on HB 452. Motion failed, lacking a two-thirds majority vote. (49-47)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 745 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Hurwitz, Kvaalen, Smith.
Total 3

Excused: Ellerd, Feda, Gould, Quilici.
Total 4

Absent or not voting: Iverson, K. Robbins.
Total 2

Free Conference Committee Report on House Bill No. 900 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: Keedy.
Total 1

Excused: Ellerd, Feda, Gould, Quilici.
Total 4

Absent or not voting: Kvaalen.
Total 1

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Teague in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HJR 65, second reading copy, be amended as follows: (76-5)

1. Page 2, line 6.
Following: "as"
Insert: "forest work camps, making better use of available space at the new prison, making use of space at other state institutions, the possibility of contracting services with private nonprofit corporations, use of facilities such as halfway houses, and"

2. Page 2, line 7.
Following: "and"
Strike: "proper"
Insert: "other"

And as amended, do pass. (72-17)

That SB 172 be concurred in. (53-40)

That SB 306 be concurred in. (73-2)

That SB 463, third reading copy, be amended as follows: (46-44)

1. Page 1, line 16.
Strike: "3 ½"
Insert: "4"

And as amended, pass consideration for the day.

That SA to HB 483 be not concurred in. (88-0)

That SA to HJR 44 be concurred in. (84-0)

That CC on SA to HB 475 be rejected. (78-2)

That CC on SA to HB 678 be adopted. (78-8)

That the Committee rise and report. (Teague, Chairman). Teague moved that the Committee of the Whole Report be deemed read. Motion carried. Teague moved adoption of the report. Dussault moved a substitute motion that SB 172 and SB 306 be segregated from the report and, as amended, be adopted. Hirsch requested a division of the motion. Speaker ruled that the motion would be divided. Discussion followed. Whereupon, the motion to segregate SB 172 carried. (56-32) The motion to segregate SB 306 also carried. (87-0) And, as amended, report adopted. (85-3)

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 4/11/79
Correctly printed - HJR 68.
Correctly engrossed - HJR 64.

Delivered to the Governor for his approval at 3:20 p.m, 4/11/79 - HB 457, HB 684, HB 811.

Do Pass

TAXATION (Huennekens, Chairman): 4/10/79
SB 142, third reading copy, be amended as follows:

1. Title, line 18.
Following: "ITS"
Insert: "CURRENT YEAR"

2. Page 2, line 1.
Following: "the"
Strike: "most"
Following: "current"
Insert: "year market"

And as amended, be concurred in. Report adopted.

SB 174, third reading copy, be amended as follows:

1. Page 1, line 15.
Following: "meets"
Strike: "either"
Insert: "any"

2. Page 1, line 24 through line 2 on page 2.
Following: line 23
Strike: line 24 on page 1 through page 2, line 2 in their entirety
Renumber: subsequent subsection

3. Page 2, line 7.
Following: "ownership"
Strike: "."
Insert: "; or

(c) it is used to raise animals in confined areas for the production of food or fiber, including but not limited to livestock, feedlots, dairies, fish hatcheries, and poultry farms."

And as amended, be concurred in. Report adopted.

SB 181, third reading copy, be amended as follows: 4/11/79

1. Title, line 5.
Following: "STATES"
Strike: "AND"
Insert: ","

2. Title, line 6.
Following: "STATE"
Insert: ", AND OTHER STATES"

3. Page 2, lines 1 and 2.
Following: "States,"
Strike: "the state"
Insert: "Montana and all other states"

And as amended, be concurred in. Report adopted.

SJR 4, be concurred in. Report adopted.
SJR 5, be concurred in. Report adopted.

MOTIONS

Dussault moved that SB 463 be taken from Second Reading and referred to the Committee on Taxation. Motion carried.

Dussault moved that SB 172 be taken from Second Reading and referred to the Committee on Rules. Motion carried.

Dussualt moved that the Conference Committee on Senate Amendments to House Bill No. 475 be dissolved and that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on HB 475. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on House Bill No. 483. Motion carried.

UNFINISHED BUSINESS

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on HB 190:

Harper, Chairman
Williams
Porter

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on HB 759:

Magone, Chairman
Bertelsen
Gesek

The Speaker appointed the following New Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to HB 877:

Keedy, Chairman
Conroy
Stobie

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on SB 76:

Scully, Chairman
Ramirez
Kemmis

Dussault moved that the House adjourn until 1:30 p.m., April 12, 1979.

Motion carried.

House adjourned at 4:35 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

EIGHTY-FOURTH LEGISLATIVE DAY

Helena, Montana
April 12, 1979

House Chambers
Capitol Building

House convened at 1:29 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Ellerd, excused; Fagg, Uhde, absent. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 4/12/79
Correctly engrossed - HJR 65.
Correctly enrolled - HB 237, HB 482, HB 727.

Examined by the Sponsor and found to be correct - HB 237, HB 482, HB 727.

Will be signed by the Speaker on adjournment, 4/12/79 - HB 237, HB 482, HB 727, SB 70, SB 263, SB 406, SJR 35.

Signed by the Speaker on adjournment, 4/11/79 - HB 708, HR 3.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Metcalf, Chairman): 4/12/79

Recommend that the following be employed by the House of Representatives for the 46th Session at the beginning of business on April 9, 1979:

Charissa Olson ..... Page
Mary Reynolds ..... Page
Kelly Walter ..... Page
Lori States ..... Page
Kendra Hoovestol ..... Page
Kathleen Carlson ..... Page

At the beginning of business April 11, 1979, the following also be employed:

Marcia Oursland ..... Page
Mike Morasky ..... Page

At the close of business April 7 and 10, 1979, the following also be terminated:

Regger Stone ..... Page
Charmaine Kauf ..... Page
Barbara Popp ..... Page
John Pavlovich ..... Page
Marty Daily ..... Page
Jane Syskowski ..... Page
Matthew Brass ..... Page

Report adopted.

Adverse Committee Reports

APPROPRIATIONS (Bardanouve, Chairman): 4/12/79
HB 743, do not pass.
HB 818, do not pass.
HB 889, do not pass.

HB 920, do not pass.

On motion by Huennekens, the Adverse Committee Report on SB 416 was adopted by the following vote: (81-7)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dussault, Ellis, Ellison, Ernst, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Huennekens, Hurwitz, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Thoft, Tropila, Underdal, Vincent, Vinger, Wood, Wyrick, Yardley, Mr. Speaker.
Total 81

Noes: Burnett, Hayne, Holmes, Nathe, Stobie, Teague, Waldron.
Total 7

Excused: Ellerd.
Total 1

Absent or not voting: Brand, Dozier, Eudaily, Fagg, Iverson, Magone, Oberg, Quilici, South, Uhde, Williams.
Total 11

COMMUNICATIONS AND PETITIONS

The Speaker explained to the House members the schedule for the Easter weekend.

REPORTS OF SELECT COMMITTEES

JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 248
Report No. 1, April 3, 1979

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 248, met April 2, 1979, and considered:

1. Senate Committee on Judiciary amendments to the third reading copy, dated March 10, 1979.

We recommend that:

1. the House accede to the Committee amendment numbers 1 through 6;

2. the Conference Committee Report to House Bill No. 248 be adopted.

FOR THE HOUSE:	FOR THE SENATE:
HOLMES	LENSINK
BERTELSEN	RYAN
MENAHAN	ANDERSON

FREE JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 759
Report No. 1, April 11, 1979

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 759, met April 11, 1979, and considered:

1. Senate Committee on Natural Resources amendments to the third reading copy, dated March 15, 1979.

We recommend that:

1. the House accede to the Committee amendment numbers 1 through 3;

2. House Bill No. 759 be further amended as indicated in CLERICAL INSTRUCTION number 1;

3. the Conference Committee Report to House Bill No. 759 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 4, line 11.
Following: "~~10%~~"
Strike: "2%"
Insert: "4%"

FOR THE HOUSE:

MAGONE
BERTELSEN
GESEK

FOR THE SENATE:

ROSKIE
STORY
MANLEY

FREE JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 768
Report No. 2, April 11, 1979

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 768, met April 10, 1979, and considered:

1. Senate Committee on Taxation amendments to the third reading copy, dated March 22, 1979.

We recommend that:

1. the Senate recede from Committee amendment numbers 1 through 3 and the House accede to the Committee amendment number 4;

2. House Bill No. 768 be further amended as indicated in CLERICAL INSTRUCTION numbers 3 and 5;

3. the reference (engrossed) copy of House Bill No. 768 read as specified in the CLERICAL INSTRUCTIONS;

4. the Conference Committee Report to House Bill No. 768 be adopted.

CLERICAL INSTRUCTIONS:

1. Title, lines 8 and 9.
Following: "DIES"
Strike: "IN A COMBAT ZONE"

2. Title, line 9.
Following: "~~ZONE~~"
Insert: "IN A COMBAT ZONE"

3. Page 1, line 21.

Following: "zone"
Insert: ", as determined under section 112(c) of the Internal Revenue Code of 1954, as amended"

4. Page 1, line 22.
Following: "died"
Strike: "IN A COMBAT ZONE"

5. Page 1, line 23.
Following: "suffered"
Insert: "while serving in a combat zone and while"
Following: "duty"
Insert: ", by reason of a hazard to which he was subjected as an incident of such service"

FOR THE HOUSE:
BRAND
KEEDY
ANDERSON

FOR THE SENATE:
SEVERSON
TOWE
TURNAGE

MESSAGES FROM THE GOVERNOR

The Honorable Harold Gerke
Speaker, House of Representatives
State Capitol
Helena, Montana 59601

4/12/79

Dear Mr. Speaker:

This is to inform you that I have signed the following measures this date:

House Bill Nos. 197, 230, 244, 411, 437, 494, 570, 624, 704, 716, 733, 771, 785, 787, 788, 800, 813, 859, 860, and 887.

Sincerely,

Thomas L. Judge
Governor

MESSAGES FROM THE OTHER HOUSE

The Senate on 4/11/79, failed to concur in House Amendments to Senate Bill No. 221 and appointed a Free Conference Committee on Senate Bill No. 221 and requested that the House of Representatives appoint a like committee to confer on Senate Bill No. 221.

The President appointed the following members:

Senator Turnage, Chairman
Senator S. Brown
Senator O'Hara

The Senate on 4/11/79, acceded to the request of the House for the return of Senate Bill No. 319, introduced by E. Smith, and is returning it to the House for further consideration.

The Senate on 4/11/79, rejected the Joint Conference Committee Report on House Bill No. 475 and appointed a New Free Conference Committee on House Bill No. 475 and requested that the House of Representatives appoint a like committee to confer on House Bill No. 475.

The President appointed the following members:

Senator Hazelbaker, Chairman
Senator Towe
Senator Galt

House Bills and House Joint Resolution concurred in and returned to the House: 4/11/79

House Bill No. 116, introduced by South

House Bill No. 122, introduced by Dussault (by request of Interim Subcommittee on Education)

House Bill No. 213, introduced by Williams, Goodover, Yardley, Huennekens, Fagg, et al

House Bill No. 269, introduced by Yardley, Dussault, Scully, Eudaily

House Bill No. 775, introduced by Seifert, Moore, Feda, et al

House Bill No. 807, introduced by Roth

House Bill No. 897, introduced by Dussault

House Bill No. 903, introduced by Moore, Bardanouve

House Bill No. 905, introduced by Harrington, Daily, Quilici

House Joint Resolution No. 60, introduced by Nathe, Bertelsen, Lien, Hirsch, et al

House Bills and House Joint Resolutions concurred in as amended and returned to the House for concurrence in Senate Amendments: 4/11/79

House Bill No. 282, introduced by Gould, Palmer, Cooney, Norman, Dussault, Harper, Manning

House Bill No. 297, introduced by Pavlovich, Moore, Johnston, Menahan, Kanduch, Gilligan, Feda

House Bill No. 299, introduced by Kemmis, Severson, McBride, Cooney, Vincent, Towe

House Bill No. 418, introduced by Kemmis, Palmer, Gould, et al

House Bill No. 427, introduced by Kemmis, Watt, Metcalf, et al

House Bill No. 534, introduced by McBride, Fagg, Kemmis, Vincent

House Bill No. 643, introduced by Fabrega (by request of the Department of Revenue)

House Bill No. 669, introduced by Ramirez, Porter

House Bill No. 796, introduced by Ramirez, Sivertsen, Fabrega

House Bill No. 830, introduced by Burnett, Johnston, Scully, et al

House Bill No. 845, introduced by Ramirez

House Bill No. 910, introduced by Taxation Committee (Huennekens, Chairman)

House Bill No. 916, introduced by Taxation Committee (Huennekens, Chairman)

House Joint Resolution No. 42, introduced by Azzara, Kvaalen, Huennekens, Johnston, Metcalf, et al

House Joint Resolution No. 51, introduced by Bertelsen

House Joint Resolution No. 59, introduced by Gould, Keedy, Scully, et al

House Bill indefinitely postponed and returned to the House: 4/11/79

House Bill No. 385, introduced by Fabrega

Conference Committee Reports adopted: 4/11/79

Joint Conference Committee Report on House Bill No. 442

Free Conference Committee Report on House Bill No. 594

Free Conference Committee Report on House Bill No. 900

MOTIONS

Marks moved that SB 286 be taken from Third Reading and placed on Second Reading for the purpose of amendment. Motion carried. (54-41)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Joint Resolution No. 64 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Johnson, Johnston, Keedy, Kemmis, Kessler, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Shelden, Sivertsen, Spilker, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 72

Noes: Bengtson, Brand, Burnett, Conroy, Ernst, Hayne, Hurwitz, Jensen, Kanduch, Keyser, Kropp, Kvaalen, Nathe, Sales, Schultz, Seifert, Smith, Staigmiller, Thoft, Vinger, Wyrick.
Total 21

Excused: Ellerd.
Total 1

Absent or not voting: Fagg, Harrington, Menahan, Scully, South, Stobie.
Total 6

House Joint Resolution No. 66 was passed by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Bardanouve, Brand, Cooney, Keedy, McBride.
Total 5

Excused: Ellerd.
Total 1

Absent or not voting: Azzara, Harrington, Scully, South.
Total 4

Senate Bill No. 50 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Ellerd.
Total 1

Absent or not voting: Harrington.
Total 1

Senate Bill No. 164 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Scully, Seifert, Shelden, Sivertsen, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Feda, Roth, Sales, Smith, Vinger.
Total 5

Excused: Ellerd.
Total 1

Absent or not voting: Ellis, Harrington, South.
Total 3

Senate Bill No. 177 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day,

Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Ellerd.
Total 1

Absent or not voting: Feda, Shelden.
Total 2

Senate Bill No. 234 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bertelsen, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Porter, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, South, Spilker, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Yardley, Mr. Speaker.
Total 70

Noes: Bardanouve, Bengtson, Bennett, Brand, Burnett, Conroy, Curtiss, Ellis, Ellison, Gesek, Hand, Hayne, Hemstad, Jensen, Kropp, Lory, Moore, Nordtvedt, Pistoria, Quilici, K. Robbins, Seifert, Smith, Staigmiller, Stobie, Thoft, Wood, Wyrick.
Total 28

Excused: Ellerd.
Total 1

Absent or not voting: Scully.
Total 1

Senate Bill No. 235 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bertelsen, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ernst, Fabrega, Fagg, Frates, Gilligan, Gould, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Nathe, Oberg, Pavlovich, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Schultz, Shelden, Sivertsen, South, Spilker, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Yardley, Mr. Speaker.
Total 64

Noes: Bardanouve, Bengtson, Bennett, Brand, Burnett, Conroy, Curtiss, Ellis, Ellison, Eudaily, Gesek, Hand, Hayne, Hemstad, Jensen, Kropp, Lory, Marks, Moore, Nordtvedt, O'Connell, Pistoria, Porter, Quilici, K. Robbins, Roth, Seifert, Smith, Staigmiller, Stobie, Thoft, Wood, Wyrick.

Total 33

Excused: Ellerd.
Total 1

Absent or not voting: Feda, Scully.
Total 2

Senate Bill No. 325 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, South, Spilker, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Burnett, Gould, Moore, Smith, Staigmiller, Stobie, Wood.
Total 7

Excused: Ellerd.
Total 1

Absent or not voting: Scully.
Total 1

Senate Bill No. 351 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Jensen, Johnson, Johnston, Kanduch, Keedy, Kessler, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Shelden, Sivertsen, South, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 75

Noes: Burnett, Ellison, Holmes, Iverson, Kemmis, Keyser, Kropp, Nathe, Nordtvedt, Porter, K. Robbins, Roth, Sales, Schultz, Seifert, Smith, Spilker, Staigmiller, Stobie, Thoft, Underdal, Vinger, Wyrick.
Total 23

Excused: Ellerd.
Total 1

Absent or not voting: Scully.
Total 1

Senate Joint Resolution No. 30 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek,

Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Seifert, Shelden, Sivertsen, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 87

Noes: Bardanouve, Brand, Holmes, Jensen, Keedy, Kropp, Roth, Sales, Smith, Staigmiller, Wyrick.
Total 11

Excused: Ellerd.
Total 1

Absent or not voting: Scully.
Total 1

Senate Amendments to House Joint Resolution No. 44 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: Brand, Holmes.
Total 2

Excused: Ellerd.
Total 1

Absent or not voting: Scully.
Total 1

Conference Committee Report on Senate Amendments to House Bill No. 678 was adopted by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: Anderson, Curtiss, Fagg, Holmes, Keedy, Kessler, Marks, Nordtvedt, Spilker, Uhde.
Total 10

Excused: Ellerd.
Total 1

Absent or not voting: Scully.
Total 1

MOTIONS

Hand moved that the House vote to override the Governor's veto of HB 555. After considerable discussion, the motion failed, lacking a two-thirds majority vote. (58-39)

Feda moved that he be recorded as voting aye on SB 235 on Third Reading. Motion carried.

Dussault moved that the Conference Committee on Senate Amendments to HB 851 be dissolved and the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on HB 851. Motion carried.

Dussualt moved that the House accede to the request of the Senate and appoint a Free Conference Committee of three to meet with a like committee from the Senate on SB 221. Motion carried.

Keedy moved that the Conference Committee on Senate Amendments to HB 877 be dissolved and the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on HB 877. Motion carried.

Ramirez moved that he be recorded as voting aye on HJR 8. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Teague in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Appropriations Committee excused at this time.

That HJR 67, second reading copy, be amended as follows: (65-0)

1. Title, line 9.
Following: "MONTANA,"
Insert: "THE HONORABLE PAT WILLIAMS, CONGRESSMAN FROM THE FIRST CONGRESSIONAL DISTRICT, STATE OF MONTANA,"

2. Page 3, line 5.
Following: "from Montana"
Insert: ", the Honorable Pat Williams, Congressman from Montana's first district,"

And as amended, do pass. (71-1)

Dussault moved that HJR 68 be placed below SJR 29. Motion carried.

That SB 71 be concurred in. (68-2)

That SB 75 be concurred in. (53-20)

That SB 142 be concurred in. (67-7)

That SB 174 be concurred in. (54-15)

That SB 181 be concurred in. (64-4)

That SB 306, third reading copy, be amended as follows: (70-0)

1. Page 1, line 22.
Following: "~~5%~~"
Strike: "18%"
Insert: "29%"

2. Page 2, lines 6 through 9.
Strike: subsection (4) in its entirety

3. Page 5, line 2.
Following: "warrants"
Insert: "except county high school bonds"

4. Page 5, line 9.
Following: "county"
Insert: ", except county high school bonds,"

And as amended, be concurred in. (71-4)

That SB 415 be concurred in. (71-1)

That SB 521 be concurred in. (75-0)

That SJR 4 be concurred in. (49-29)

That SJR 5 be concurred in. (50-25)

That SJR 29 be concurred in. (63-14)

Dussault moved that HJR 68 pass consideration for the day. Motion carried.

That GA to HB 12 be adopted. (73-1)

That GA to HB 366 be adopted. (67-6)

Ramirez moved that GA to HB 436 pass consideration for the day. Motion carried.

That Free CC on HB 842 be adopted. (71-0)

Lien moved that Free CC on SB 170 be placed at the bottom of the Second Reading board this day. Motion carried.

That Free CC on SB 217 be rejected. (66-3)

Dassinger moved that Free CC on SB 170 pass consideration for the day. Motion carried.

That the Committee rise and report. (Teague, Chairman). Teague moved that the Committee of the Whole Report be deemed read. Motion carried. Report adopted. (70-1)

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 4/12/79
Correctly enrolled - HB 122, HB 634, HJR 19.

Examined by the Sponsor and found to be correct - HB 122, HB 634, HJR 19.

Will be signed by the Speaker on adjournment, 4/12/79 - HB 122, HB 634, HJR 19.

Delivered to the Governor for his approval at 2:10 p.m., 4/12/79 - HB 708.

Do Pass

APPROPRIATIONS (Bardanouve, Chairman): 4/12/79
HB 542, introduced bill, be amended as follows:

1. Title, lines 5 and 6.
Following: line 4
Strike: "$2,897,280"
Insert: "$1,500,000"
Following: "GYMNASIUM"
Strike: "AND $2,085,792 FOR CONSTRUCTION OF THREE COTTAGES"

2. Page 1, line 11.
Strike: "$4,983,072"
Insert: "$1,500,000"

3. Page 1, lines 12, 13 and 14.
Following: "1981, from"
Strike: remainder of line 12 through "Program" on line 14
Insert: "the general fund"

4. Page 1, line 15.
Strike: "and three cottages"

5. Page 1, lines 16 through 19.
Following: "Falls."
Strike: remainder of bill in its entirety

And as amended, do pass. Report adopted.

Adverse Committee Reports

Lund, Ellison, Keedy, Kropp, Wyrick, Marks, Smith, Feda, Stobie, Jensen objected that SB 319 was reported out of committee with a be not concurred in recommendation and requested that the bill be referred to Second Reading.

REPORTS OF SELECT COMMITTEES

JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 365
Report No. 1, April 11, 1979

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 365, met April 11, 1979, and considered:

1. Senate Committee on Local Government amendments to the third reading copy, dated March 22, 1979.

We recommend that:

1. the Senate recede from Committee amendment numbers 1 through 4;

2. the reference (engrossed) copy of House Bill No. 365 read as specified in the CLERICAL INSTRUCTIONS;

3. the Conference Committee Report to House Bill No. 365 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 1, line 14.
Following: "~~MORE THAN~~"
Insert: "more than"

2. Page 1, line 15.
Strike: "OR MORE"

3. Page 1, line 24.
Following: "~~MORE THAN~~"
Insert: "more than"

4. Page 1, line 25.
Strike: "OR MORE"

FOR THE HOUSE:

KESSLER
AZZARA
MOORE

FOR THE SENATE:

LOCKREM
WATT
RASMUSSEN

FREE CONFERENCE COMMITTEE
ON SENATE BILL NO. 106
Report No. 2, April 11, 1979

Mr. President and Speaker of the House:

We, your Free Conference Committee on Senate Bill No. 106, met on April 11, 1979, and considered:

1. House Judiciary Committee amendments, dated March 16, 1979, third reading copy.

We recommend that:

1. the House recede from Standing Committee amendment number 1 and the Senate accede to the Standing Committee amendment number 2;

2. Senate Bill No. 106 be further amended as indicated in CLERICAL INSTRUCTIONS;

3. the reference copy of Senate Bill No. 106 read as specified in the CLERICAL INSTRUCTIONS;

4. the Free Conference Committee Report on Senate Bill No. 106 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 1, line 15.
Following: line 14
Strike: "$22,500"
Insert: "$20,000"

FOR THE HOUSE:

FOR THE SENATE:

KEEDY
UHDE
EUDAILY

B. BROWN
MCCALLUM
S. BROWN

MESSAGES FROM THE GOVERNOR

The Honorable Harold Gerke
Speaker, House of Representatives
State Capitol
Helena, Montana 59601

4/12/79

Dear Mr. Speaker:

This is to inform you that I have signed the following measures this date:

House Bill Nos. 402, 528, 803, 853 and 870.

Sincerely,

Thomas L. Judge
Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House joint resolution was introduced, read first time and referred to committee:

HJR 70, introduced by Kvaalen, Yardley. Referred to Committee on Appropriations.

UNFINISHED BUSINESS

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on House Bill No. 475:

Kemmis, Chairman
Fagg
Vincent

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on House Bill No. 483:

Bardanouve, Chairman
Manuel
Lund

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on House Bill No. 877:

Keedy, Chairman
Conroy
Stobie

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on Senate Bill No. 221:

Scully, Chairman
Kemmis

Lory

MOTIONS

Scully moved that the Conference Committee on HB 461 be dissolved and that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on HB 461. Motion carried.

Scully moved that the Free Conference Committee on SB 221 be dissolved. Motion carried.

Dussault moved that the House adjourn until 9:00 a.m., April 13, 1979.

Motion carried.

House adjourned at 5:07 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

EIGHTY-FIFTH LEGISLATIVE DAY

Helena, Montana
April 13, 1979

House Chambers
Capitol Building

House convened at 9:00 a.m., Mr. Speaker in the Chair. Invocation by Representative Jensen. Pledge of Allegiance to the Flag.

Roll call. All members present except Ellerd, Gesek, excused; Azzara, Menahan, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Eighty-second Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 4/13/79
Correctly enrolled - HB 682, HB 807, HB 897.

Examined by the Sponsor and found to be correct - HB 682, HB 807, HB 897.

Will be signed by the Speaker on adjournment, 4/13/79 - HB 682, HB 807, HB 897, SB 429.

Do Pass

JUDICIARY (Scully, Chairman): 4/11/79
HB 924, introduced bill, be amended as follows:

1. Page 1, line 16.
Following: "carrier"
Insert: "or private vehicle"

And as amended, do pass. Report adopted.

TAXATION (Huennekens, Chairman): 4/11/79
SB 220, be concurred in. Report adopted.
SB 303, third reading copy, be amended as follows:

1. Page 1, line 21.
Following: "~~occupy~~"
Insert: ", with land they occupy"

2. Page 1, line 22.
Following: "therein"
Insert: ","

2A. Page 2, line 11.
Following: "IS"
Strike: "HELD"
Insert: "devoted"
Following: "EXCLUSIVELY"
Strike: "FOR"
Insert: "to"

3. Page 2, line 12.
Following: "cemeteries"
Insert: "for which a permanent care and improvement fund has been established as provided for in Title 35, chapter 20, part 3"

4. Page 2, line 25.
Following: "MEMBERS OF"
Strike: "TE"
Insert: "the"

And as amended, be concurred in. Report adopted.

SB 389, third reading copy, be amended as follows:

1. Title, line 11.
Following: "~~USE;~~"
Insert: "IMPOSING A ROLLBACK TAX UPON A CHANGE IN USE;"

2. Page 2, line 4.
Following: "habitation"
Insert: "and is the principal residence of the owner"

3. Page 2.
Following: line 9
Insert: "(c) show that the statement has been filed with the county clerk and recorder of the county in which the property is located."

4. Page 3.
Following: line 10
Insert: "SECTION 3. THERE IS A NEW MCA SECTION THAT READS:

Rollback tax — computation. (1)(a) If land and improvements appraised as residential as a result of an application filed under [section 2] are changed to industrial or commercial use, the property is subject to a rollback tax in addition to the property tax levied on the property. The rollback tax is a lien on the property and is due and payable by the owner of the property at the time of the change in use.

(b) As used in [this act], 'rollback' means the period preceding the change in use, not to exceed 5 years, during which the property was appraised as residential.

(2) The department's agent shall determine the amount of rollback tax due on the property by:

(a) determining the taxable value of the property as industrial or commercial property;

(b) multiplying this value by the sum of the annual mill levies applied in the taxing jurisdiction in which the land is located during the rollback period; and

(c) subtracting from this figure the actual property tax paid on the property during this period."
Renumber: subsequent section

And as amended, be concurred in. Report adopted.

SB 459, be concurred in. Report adopted.

Adverse Committee Reports

TAXATION (Huennekens, Chairman): 4/11/79
SB 300, be not concurred in.

MESSAGES FROM THE GOVERNOR

The Honorable William Mathers 4/12/79

President of the Senate
State Capitol
Helena, Montana 59601

The Honorable Harold Gerke
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear President Mathers and Speaker Gerke:

In accordance with the authority vested in me as Governor according to the laws and the Constitution of the State of Montana, I hereby return Senate Bill No. 489 "AN ACT TO REESTABLISH THE BOARD OF PUBLIC ACCOUNTANTS AND TO GENERALLY REVISE THE AUTHORITY OF THE BOARD WITH REGARD TO CERTIFICATION AND LICENSING; AMENDING SECTIONS 2-8-103, 2-15-1641, 37-50-102, 37-50-201 THROUGH 37-50-203, 37-50-301, 37-50-302, 37-50-305, 37-50-308, 37-50-309, 37-50-314, 37-50-315, 37-50-321, 37-50-331 THROUGH 37-50-335, MCA; AND REPEALING SECTIONS 37-50-306 AND 37-50-307, MCA.", without my signature and recommend the enclosed amendment.

Senate Bill No. 489, which would reestablish the Board of Accountants, would have expanded that Board from five to nine members as it was originally introduced. During the legislative process the bill was amended to retain the Board membership at five. The composition of the Board was changed, however, to require a public member.

Because the original version of Senate Bill No. 489 increased the Board membership to nine, a transition section was inserted in the bill which would require the appointment of nine new members on July 1, of this year. This section was not amended when the decision was made to retain the size of the Board at five so that Senate Bill No. 489 in its present form now requires the appointment of nine persons to fill five positions. The amendment I am proposing will correct this oversight and provide that the Board membership will remain the same with the public member being appointed upon the first available vacancy for that purpose.

I urge your concurrence in this amendment.

Sincerely,

Thomas L. Judge
Governor

PROPOSED AMENDMENT TO SENATE BILL NO. 489

That Senate Bill No. 489, reference bill, be amended as follows:

1. Page 34, lines 1 through 8.
Strike: lines 1 through 8 in their entirety
Insert: "currently members of the board of public accountants are not affected by this act. The governor shall make the appointment necessary to comply with the change in board composition contained in [section 3 of this act] upon the first available vacancy suitable for that purpose."

The Honorable William Mathers 4/12/79
President of the Senate
State Capitol
Helena, Montana 59601

The Honorable Harold Gerke
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear President Mathers and Speaker Gerke:

In accordance with the power vested in me as Governor according to the laws and the Constitution of the State of Montana, I hereby return Senate Bill No. 504, "AN ACT TO MAKE IT A MISDEMEANOR TO LEAVE SNARES AND TRAPS UNATTENDED AND TO WASTE FURS OR FURBEARING ANIMALS.", and suggest the enclosed amendments.

The inclusion of the term "furs" in the prohibition against wasting with traps or snares would cause serious difficulties for predator control. Consequently, my amendments would delete any reference to "furs". In order to further clarify the affect of this legislation on predator control, I am including an additional section which would exempt federal, state, and county predator control programs from the act.

I urge your concurrence in these amendments.

Sincerely,

Thomas L. Judge
Governor

PROPOSED AMENDMENTS TO SENATE BILL NO. 504

1. Amend the title line 6 by deleting "FURS OR".
2. Amend line 16 by deleting "FURS OR".
3. Add a new section:

"Section 3. Exclusion. Federal, state, and county predator control programs are exempt from this act."

MESSAGES FROM THE OTHER HOUSE

House Bills concurred in and returned to the House: 4/12/79

House Bill No. 284, introduced by Dussault, Thomas

House Bill No. 356, introduced by Ellis, Rasmussen

House Bill No. 647, introduced by Harrington, Johnson, Cooney, et al

House Bill No. 868, introduced by Waldron, Regan

House Bill No. 923, introduced by South

House Bills and House Joint Resolution concurred in as amended and returned to the House for concurrence in Senate Amendments: 4/12/79

House Bill No. 895, introduced by Bardanouve

House Bill No. 913, introduced by Scully

House Joint Resolution No. 56, introduced by Hemstad, Hazelbaker

House Bill not concurred in and returned to the House: 4/12/79

House Bill No. 472, introduced by Fabrega, Goodover

The Senate on 4/12/79, requested the return of the following House Bill for further consideration:

House Bill No. 849, introduced by Johnson, Fasbender

MOTIONS

Hand moved that the House reconsider its action taken on the Eighty-fourth Legislative Day in failing to override the Governor's veto on HB 555. After some discussion, Bardanouve made a substitute motion that the House not reconsider its action in failing to override the Governor's veto. Motion failed. (35-59) Thereupon, Hand's motion to reconsider carried. (58-35)

Hand moved that the House vote to override the Governor's veto on HB 555. Motion failed, lacking the necessary two-thirds majority. (57-37)

Marks moved that SB 286 pass consideration for the day. Motion carried.

Dussault moved that the House accede to the request of the Senate and return HB 849 for further consideration. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Joint Resolution No. 65 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 81

Noes: Ernst, Feda, Nordtvedt, Roth, Sales, Schultz, Smith, Stobie, Thoft, Underdal, Wyrick.
Total 11

Excused: Ellerd, Gesek.
Total 2

Absent or not voting: Azzara, Harrington, Hirsch, Kanduch, Menahan, Scully.
Total 6

Governor's Amendment to House Bill No. 12 was adopted by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden,

Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Keyser.
Total 1

Excused: Ellerd, Gesek.
Total 2

Absent or not voting: Azzara, Dassinger, Harrington, Hurwitz, Menahan, K. Robbins.
Total 6

Governor's Amendments to House Bill No. 366 were adopted by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Kemmis, Kessler, Kropp, Kvaalen, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Schultz, Seifert, Shelden, South, Spilker, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 76

Noes: Conroy, Curtiss, Ellison, Keyser, Lien, Moore, K. Robbins, Roth, Smith, Staigmiller, Teague, Thoft, Vinger.
Total 13

Excused: Ellerd, Gesek.
Total 2

Absent or not voting: Azzara, Feda, Hayne, Johnston, Keedy, Menahan, Scully, Sivertsen, Stobie.
Total 9

Free Conference Committee Report on House Bill No. 842 was adopted by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Brand, Keedy.
Total 2

Excused: Ellerd, Gesek.
Total 2

Absent or not voting: Azzara, Johnston, Menahan, Scully, Shelden.
Total 5

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Vincent in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HJR 68 do pass. (81-0)

That SA to HB 282 be concurred in. (69-8)

That SA to HB 297 be not concurred in. (79-2)

That SA to HB 299 be concurred in. (79-0)

That SA to HB 418 be concurred in. (73-4)

That SA to HB 427 be concurred in. (73-4)

That SA to HB 534 be concurred in. (77-1)

Moore moved that SA to HB 643 be placed below HJR 59. Motion carried.

That SA to HB 669 be concurred in. (72-0)

That SA to HB 796 be concurred in. (72-1)

That SA to HB 830 be concurred in. (73-6)

That SA to HB 845 be concurred in. (83-1)

That SA to HB 910 be concurred in. (84-1)

That SA to HB 916 be not concurred in. (82-5)

Dussault moved that SA to HJR 42 pass consideration for the day. Motion carried.

That SA to HJR 51 be not concurred in. (80-3)

That SA to HJR 59 be concurred in. (85-0)

That SA to HB 643 be concurred in. (84-3)

That Free CC on HB 248 be adopted. (78-3)

That CC on SA to HB 365 be adopted. (78-5)

That Free CC on HB 759 be adopted. (81-3)

That Free CC on HB 768 be adopted. (81-0)

Rosenthal moved that Free CC on SB 106 pass consideration for the day. Motion carried.

That Free CC on SB 170 be rejected. (71-13)

That GA to HB 436 be adopted. (81-4)

That the Committee rise and report. (Vincent, Chairman). Vincent moved that the Committee of the Whole Report be deemed read. Motion carried. Report adopted. (83-4)

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 4/13/79

Signed by the Speaker on adjournment, 4/12/79 - HB 122, HB 237, HB 482, HB 634, HB 727, HJR 19, SB 70, SB 263, SB 406, SJR 35.

Delivered to the Governor for his approval at 9:00 a.m., 4/13/79 - HB 122, HB 237, HB 482, HB 634, HB 727.

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE
ON SENATE BILL NO. 78
Report No. 1, April 10, 1979

Mr. President and Speaker of the House:

We, your Free Conference Committee on Senate Bill No. 78, met on April 10, 1979, and considered:

1. House Judiciary Committee amendments, dated January 25, 1979, third reading copy; and

2. Governor's Amendments, dated March 21, 1979, reference copy.

We recommend that:

1. the House recede from the Standing Committee amendment numbers 1 through 3;

2. the House and Senate accede to the Governor's Amendment numbers 1 and 2;

3. the reference copy of Senate Bill No. 78 read as specified in the CLERICAL INSTRUCTIONS;

4. the Free Conference Committee Report to Senate Bill No. 78 be adopted.

CLERICAL INSTRUCTIONS:

1. Title, line 8.
Following: "~~ADMINISTRATION~~"
Strike: "PURSUANT TO"
Insert: "ON THE DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION IN ADDITION TO SERVICE REQUIRED BY"

2. Page 1, line 16.
Following: "~~BY~~"
Strike: "PURSUANT TO"
Insert: "on the director of the department of administration in addition to service required by"

FOR THE HOUSE:

SCULLY
LORY
KEEDY

FOR THE SENATE:

TURNAGE
VAN VALKENBURG
M. ANDERSON

MESSAGES FROM THE OTHER HOUSE

The Senate on 4/12/79, dissolved the Conference Committee on House Bill No. 851 and appointed a Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 851.

The President appointed the following members:

Senator Lockrem, Chairman
Senator Watt
Senator O'Hara

The Senate on 4/12/79, dissolved the Conference Committee on House Bill No. 461 and appointed a Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 461.

The President appointed the following members:

Senator Turnage, Chairman
Senator Towe
Senator O'Hara

The Senate on 4/12/79, dissolved the Conference Committee on House Bill No. 877 and appointed a Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 877.

The President appointed the following members:

Senator Lensink, Chairman
Senator Stimatz
Senator O'Hara

The Senate on 4/13/79, requested the return of the following House Bill for further consideration:

House Bill No. 639, introduced by Lien, Manley

The Senate on 4/13/79, acceded to the request of the House of Representatives and appointed a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 483.

The President appointed the following members:

Senator Lockrem, Chairman
Senator Story
Senator Fasbender

MOTIONS

Dussault moved that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on HB 851. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on HB 461. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to HB 297. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on HB 916. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on HJR 51. Motion carried.

Dussault moved that the Free Conference Committee on SB 170 be dissolved and that the Speaker be authorized to appoint a New Free Conference Committee of three to meet with a like committee from the Senate on SB 170. Motion carried.

Dussault moved that the House accede to the request of the Senate and return HB 639 for further consideration. Motion carried. (76-16)

Scully moved that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on SB 221. Motion carried.

Bardanouve moved that the rules be suspended and that HJR 68 be placed on Third Reading this day. Motion carried.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

House Joint Resolution No. 68 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Ellerd, Gesek.
Total 2

Absent or not voting: Azzara, Brand, Menahan, Quilici, Sales.
Total 5

UNFINISHED BUSINESS

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on HB 461:

Scully, Chairman
Bertelsen
Harrington

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on HB 851:

Reichert, Chairman
Waldron
Spilker

The Speaker appointed the following New Free Conference Committee of three to meet with a like committee from the Senate on SB 217:

Yardley, Chairman
Ramirez
Kemmis

Dussault moved that the House adjourn until 1:30 p.m., April 16, 1979.

Motion carried.

House adjourned at 10:37 a.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

EIGHTY-SIXTH LEGISLATIVE DAY

Helena, Montana
April 16, 1979

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Seifert, excused; Scully, Teague, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Eighty-third Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 4/16/79
Correctly printed - HB 542, HB 924.
Correctly engrossed - HJR 67.

Signed by the Speaker on adjournment, 4/15/79 - HB 682, HB 807, HB 897, SB 429.

Do Pass

APPROPRIATIONS (Bardanouve, Chairman): 4/13/79
HB 417, introduced bill, be amended as follows:

1. Page 2, line 6.
Following: "account;"
Strike: "and"

2. Page 2, line 7.
Following: "account"
Insert: "; and 'other appropriated funds' means money other than general fund or BPICA money that accrue under provisions of law to an agency indicated herein"

3. Page 3.
Following: line 11
Insert: "Section 7. General fund appropriation. There is appropriated from the general fund to account number 06142 in the bond proceeds and insurance clearance fund $400,000 to be used with other available funds to support the projects provided below."
Renumber: subsequent sections

4. Page 3, lines 18 and 19.
Strike: lines 18 and 19 in their entirety
Insert (numbers in BPICA column): "Construct Justice and State Library building 300,000"

5. Page 3, line 23.
Strike: "1,300,000"
Insert: "1,000,000"

6. Page 4, line 2.
Strike: "170,000"
Insert: "145,000"

7. Page 4, line 6.

Strike: "100,000"
Insert: "75,000 25,000"

8. Page 4.
Following: line 8
Insert (numbers in BPICA column):
"Records center roof 25,000"

9. Page 4, line 17.
Strike: line 17 in its entirety

10. Page 4, line 25 and line 1 on page 5.
Strike: line 25 on page 4 and line 1 on page 5 in their entirety
Insert (numbers in other funds):
"Black Sandy Recreation Area 195,000"

11. Page 5.
Following: line 3
Insert (numbers in other funds):
"Missoula Headquarters 786,332"

12. Page 5, line 7.
Strike: "2,673,000"
Insert: "1,826,450 846,550"

13. Page 5.
Following: line 18
Insert: "Federal funds of $830,000 are included in the above appropriation. The federal funds are for a solar energy system. The building is to be totally functional with the expenditure of $1,500,000 of the appropriation should the federal funds not become available."

14. Page 5.
Following: line 20
Insert: "Ninety percent of the other funds appropriated shall be federal funds."

15. Page 6, lines 5 and 6.
Strike: lines 5 and 6 in their entirety

16. Page 6, line 21.
Following: "Replacement"
Strike: "and"

17. Page 6, line 22.
Strike: "Warehouse"

18. Page 6, line 23.
Strike: "352,000"
Insert: "136,000"

19. Page 7, lines 1 through 3.
Strike: lines 1 through 3 in their entirety
Insert (numbers in BPICA column):
"Swan River Tile 24,000"

20. Page 7, lines 13 and 14.
Strike: lines 13 and 14 in their entirety

21. Page 8, line 2.
Strike: "220,000 927,800"
Insert: "276,400 613,400"

22. Page 8, lines 3 and 4.

Strike: lines 3 and 4 in their entirety
Insert (numbers in other funds):
"Plan visual communications building 225,000"

23. Page 8, line 6.
Strike: "300,000 700,000"
Insert: "529,500 458,555"

24. Page 8.
Following: line 11
Insert (numbers in other funds):
"Social Science - UM 79,500"
Insert (numbers in BPICA funds for UM):

"Plan Clinical Psychology - UM	30,000	
Computer and Site Renovation - MSU	1,000,000	1,500,000
Marsh Laboratory - Annex - MSU		100,000
Plan Lewis - Cooley - MSU		90,000

The above appropriation of $1,500,000 is to be from federal, private, designated subfund computer accounting entity or other lawful purpose funds.

The following three projects are authorized in order to solicit nonstate funding. The appropriation for construction is contingent on the department of administration certifying that money sufficient to complete the project is available and deposited within the department of administration's state treasury accounts. (in other funds)

Classroom - Lab Building - MCMST	6,000,000
Yellow Bay Lab - UM	848,800
Lubrecht Forest - UM	635,000"

25. Page 8, line 17.
Strike: "300,000"
Insert: "1,000,000"

26. Page 8, line 19.
Strike: "300,000"
Insert: "1,000,000"

27. Page 8, lines 20 through 22.
Strike: lines 20 through 22 in their entirety

28. Page 8, line 24.
Strike: "375,000"
Insert: "300,000"

29. Page 8, line 25.
Strike: "375,000"
Insert: "300,000"

30. Page 9, line 8.
Following: "Justice"
Insert: "and State Library"
Strike: "4,300,000"
Insert: "6,200,000"

31. Page 9, line 14.
Following: "Construct"
Strike: "New"
Insert: "40-Bed"

32. Page 9, line 15.

Strike: "600,000"
Insert: "717,000 105,000

The appropriation of other funds is from account 09601."

33. Page 9, lines 16 through 18.
Strike: lines 16 through 18 in their entirety

34. Page 9.
Following: line 20
Insert: "Section 11. Appropriation. There is appropriated to the department of fish and game $400,000 in full settlement of all the obligations of the department under the Montana supreme court decision in cause number 14086, and in full settlement of all the obligations of the department relating to operation and maintenance of a tram and railway under a contract entered into June 15, 1946, and a supplemental agreement entered into March 30, 1950, between the Montana State park commission and Link Brothers, Concessionaires.

Section 12. Authorization of geothermal development at Warm Springs state hospital. The department of institutions is authorized to enter into contracts for the development of geothermal energy research facilities at Warm Springs state hospital. No facilities may be constructed or modified without the express approval of the department of administration."
Renumber: subsequent sections

And as amended, do pass. Report adopted.

HB 761, introduced bill, be amended as follows:

1. Title, line 7.
Following: "AND"
Strike: "TO"

2. Title, line 9.
Following: "UNIVERSITY"
Strike: ";"
Insert: "AND TO THE PHYSICAL EDUCATION, ATHLETIC, AND RECREATIONAL FACILITIES AT EASTERN MONTANA COLLEGE;"

3. Page 1, line 16.
Following: "university"
Insert: "and eastern Montana college"

4. Page 1, line 19.
Following: "Montana,"
Insert: "and eastern Montana college at Billings, Montana,"

5. Page 1, line 21.
Following: "building"
Strike: "; and"
Insert: "at Montana state university;"

6. Page 1, line 23.
Following: "facilities"
Strike: "."
Insert: "at Montana state university; and"

7. Page 1.
Following: line 23

Insert: "(c) the physical education, athletic, and recreational facilities at eastern Montana college."

8. Page 2, line 1.
Following: "fees"
Strike: ","
Following: "earnings"
Insert: ", and"

9. Page 2, line 9.
Following: "exceed"
Strike: "$5,000,000"
Insert: "$4,000,000"

10. Page 2, line 11.
Following: "building"
Insert: "at Montana state university"

11. Page 2, line 14.
Following: "facilities"
Strike: "."
Insert: "at Montana state university; and"

12. Page 2.
Following: line 14
Insert: "(3) in a principal amount not to exceed $1,500,000 for the purpose of financing the cost of the physical education, athletic, and recreational facilities at eastern Montana college. In addition to the bonding authorization, $800,000 of federal or private funds is authorized."

13. Page 3, line 6.
Following: "and costs."
Insert: "All agreements or bond arrangements entered into between the board of regents and the department of administration will specifically require the board to maintain debt service payments and the reserve requirement to the long range building sinking fund. If enrollment reductions should endanger these payments, the regents shall insure continued payments through budget adjustments which include fee increases."

14. Page 3, line 18.
Following: "17-5-401(2)."
Insert: "No construction or related bids shall be let until the bond proceeds are deposited in the clearance fund."

And as amended, do pass. Report adopted.

HB 824, introduced bill, be amended as follows:

1. Page 1, line 20.
Following: "(1) a grant for the"
Strike: "Department of Agriculture"
Insert: "Agriculture Experiment Station at Corvallis"

2. Page 1, line 21.
Following: "program:"
Strike: "$113,200"
Insert: "$38,200"

3. Page 1, line 24 through line 2 on page 2.
Strike: subsection (3) in its entirety

Insert: "(3) a grant of $275,000 is made to the Department of Fish and Game to restore to operation the Lewis and Clark caverns tram and railway transportation system in compliance with Montana supreme court order number 14086. These funds may not be expended if the Link versus the Department of Fish and Game case filed 2-28-79 is settled by payment as authorized in HB 483, 46th Legislature."

4. Page 2, lines 20 through 25.
Strike: lines 20 through 25 in their entirety
Insert: "(10) grants to the Department of Administration for Lambeth recreation area: $50,000 to be matched with $50,000 federal funds; Lost Creek state park of $87,500 to be matched with $87,500 federal funds; $46,200 for maintenance in the forestry division of the Department of Natural Resources and Conservation; $200,000 to construct nursery greenhouse, Department of Natural Resources, forestry division, Missoula.

(11) a grant of $86,500 for the Department of Natural Resources and Conservation for the purpose of performing general site, engineering, geotechnical, survey, archaeological, wildlife, feasibility, and demand studies of seven off-stream potential water storage sites and of potential water uses along the Big Hole and Jefferson Rivers, as identified in the report of the Department and submitted to the Legislature in January, 1979, entitled 'Potential Off-Stream Reservoir Sites in the Big Hole River Basin'."

5. Page 3, line 1.
Strike: "project:"
Insert: "(12)"
Following: "funds"
Strike: "in"
Insert: "remaining from"

6. Page 3, line 2.
Following: "project"
Insert: "and the solid waste management project"

7. Page 3, line 3.
Following: "1979"
Insert: ", are reappropriated"

8. Page 3, line 4.
Strike: "(b)"
Insert: "(13)"

9. Page 3, line 7.
Following: "(1)"
Strike: ";"
Insert: "."

10. Page 3, line 8.
Strike: "(c) the"
Insert: "The"

11. Page 3, line 8.
Following: "under"
Strike: "this"
Following: "subsection"
Strike: "(12) is"
Insert: "(2) and the reappropriated funds for the Boulder River project are"

And as amended, do pass. Report adopted.

TAXATION (Huennekens, Chairman): 4/13/79
SB 67, be concurred in. Report adopted.
SB 162, be concurred in. Report adopted.
SB 182, third reading copy, be amended as follows:

1. Title, lines 10 and 11.
Following: "MCA"
Strike: "; AND PROVIDING AN EFFECTIVE DATE"

2. Page 4, lines 19 through 21.
Following: line 18
Strike: section 4 in its entirety

And as amended, be concurred in. Report adopted.

SB 248, third reading copy, be amended as follows:

1. Title.
Following: line 10
Insert: "APPROPRIATING MONEY TO FUND THE LOAN PROGRAM FOR THE 1979-1981 BIENNIUM;"

2. Page 4, line 9.
Following: "~~42~~"
Strike: "30"
Insert: "29"

3. Page 5, line 3.
Following: "~~42~~"
Strike: "30"
Insert: "29"

4. Page 5, line 12.
Following: "~~42~~"
Strike: "30"
Insert: "29"

5. Page 18.
Following: line 8
Insert: "(6) No more than four members may be of the same political party."
Renumber: subsequent subsection

6. Page 19, line 7.
Following: "THROUGH"
Strike: "30"
Insert: "29"

7. Page 19, line 19.
Following: "EXCEED"
Strike: "60"
Insert: "40"

8. Page 22, line 10.
Following: "council,"
Insert: "if in existence,"

9. Page 22, line 13.
Following: "department"
Strike: "may"
Insert: "shall"

10. Page 23, line 8.
Following: "ability, its"
Strike: "lease agreements and sales"
Insert: "loans"

11. Page 23, line 18.
Following: "~~42~~"
Strike: "30"
Insert: "29"

12. Page 26.
Following: line 6
Strike: "30"
Insert: "29"

13. Page 28, line 12.
Following: "~~42~~"
Strike: "30"
Insert: "29"

14. Page 28, line 15.
Following: "~~42~~"
Strike: "30"
Insert: "29"

15. Page 28, line 22.
Following: "~~42~~"
Strike: "30"
Insert: "29"

16. Page 30, line 7.
Following: "~~42~~"
Strike: "30"
Insert: "29"

17. Page 30, line 19.
Following: "~~42~~"
Strike: "30"
Insert: "29"

18. Page 30, line 25.
Following: "~~42~~"
Strike: "30"
Insert: "29"

19. Page 31, lines 1 through 8.
Following: line 25 on page 30
Strike: section 24 in its entirety
Renumber: subsequent sections

20. Page 32, line 5.
Following: "~~42~~"
Strike: "30"
Insert: "29"

21. Page 32.
Following: line 21
Insert: "Section 30. Appropriation. (1) There is appropriated $1,000,000 to the earmarked revenue fund to the credit of the Montana homestead loan account for each year of the biennium ending June 30, 1981, from the interest and income received from the coal severance tax trust fund created in section 5, Article IX of the Montana constitution.

(2) The money appropriated to the homestead loan account must be used to make homestead loans to eligible applicants and for the expenses of the department of agriculture in administering the Montana homestead loan program."

Further respectfully report that Statement of Intent to Senate Bill No. 248 be amended as follows:

1. Page 1, line 6.
Following: "in"
Strike: "Section 7 (2)(c) and Section 11(1)"
Insert: "Section 6 (2)(c) and Section 10(1)"

2. Page 1, line 11.
Following: "Section"
Strike: "11(1)"
Insert: "10(1)"

And as amended, be concurred in. Report adopted.

SB 358, third reading copy, be amended as follows:

1. Page 1, lines 16 through 19.
Following: "(2)"
Strike: remainder of line 16 through line 19
Insert: "Refunds to persons who have paid the tax on gasoline for use other than on public streets and roads are authorized as provided for in 15-70-221."

And as amended, be concurred in. Report adopted.

SB 401, be concurred in. Report adopted.
SB 523, third reading copy, be amended as follows:

1. Title, line 7.
Following: "MCA;"
Strike: "AND"

2. Title, line 8.
Following: "APPLICABILITY"
Insert: "; AND PROVIDING FOR COORDINATION WITH HOUSE BILL 213"

3. Page 3.
Following: line 15
Insert: "Section 4. Coordination with House Bill 213. If House Bill 213, introduced in the 46th Legislature, is passed and signed by the governor:

(a) section 1 of this act is replaced with the following section:

'Section 1. Class [eleven] property — description — taxable percentage. (1) Class [eleven] property includes any personal or real property used primarily in the production of gasohol during construction and for the first 3 years of its operation.

(2) Class [eleven] property is taxed at 2% of its market value.'

(b) section 15-1-101, MCA, is amended to read:

'15-1-101. Definitions. (1) When terms mentioned in this section are used in connection with taxation, they are defined in the following manner:

(a) The term "assessed value" means the value of property as defined in 15-8-111.

(b) The term "credit" means solvent debts, secured or unsecured, owing to a person.

(c) The term "improvements" includes all buildings, structures, fixtures, fences, and improvements situated upon, erected upon, or affixed to land. When the department of revenue or its agent determines that the permanency of location of a mobile home or housetrailer has been established, the mobile home or housetrailer is presumed to be an improvement to real property. If the mobile home or housetrailer is an improvement located on land not owned by the owner of such improvement, the improvement is assessed as a leasehold improvement to real property and delinquent taxes can be a lien only on the leasehold improvement.

(d) The term "mobile home" means forms of housing known as "trailers", "housetrailer", or "trailer coaches", exceeding 8 feet in width or 32 feet in length, designed to be moved from one place to another by an independent power connected to them.

(e) The term "personal property" includes everything that is the subject of ownership but that is not included within the meaning of the terms "real estate" and "improvements".

(f) The term "property" includes moneys, credits, bonds, stocks, franchises, and all other matters and things, real, personal, and mixed, capable of private ownership. This definition must not be construed to authorize the taxation of the stocks of any company or corporation when the property of such company or corporation represented by the stocks is within the state and has been taxed.

(g) The term "real estate" includes:

(i) the possession of, claim to, ownership of, or right to the possession of land;

(ii) all mines, minerals, and quarries in and under the land subject to the provisions of 15-23-501 and 15-23-801; all timber belonging to individuals or corporations growing or being on the lands of the United States; and all rights and privileges appertaining thereto.

(h) The term "taxable value" means the percentage of assessed value as provided for in chapter 6, part 1 and [section 1].

(2) The phrase "municipal corporation" or "municipality" or "taxing unit" shall be deemed to include a county, city, incorporated town, township, school district, irrigation district, drainage district, or any person, persons, or organized body authorized by law to establish tax levies for the purpose of raising public revenue.

(3) The term "state board" or "board" when used without other qualification shall mean the state tax appeal board.'

(c) section 15-6-101, MCA, is amended to read:

'15-6-101. Property subject to taxation — classification. (1) All property in this state is subject to taxation, except as provided otherwise.

(2) For the purpose of taxation, the taxable property in the state shall be classified in accordance with 15-6-102 through 15-6-121 and [section 1].'

(d) section 2 of this act is replaced with the following section:

'Section 2. Section 15-8-111, MCA, is amended to read:

"15-8-111. Assessment — market value standard — exceptions. (1) All taxable property must be assessed at 100% of its market value except as provided in subsection (5) of this section and in 15-7-111 through 15-7-114.

(2) Market value is the value at which property would change hands between a willing buyer and a willing seller, neither being under any compulsion to buy or to sell and both having reasonable knowledge of relevant facts.

(3) The department of revenue or its agents may not adopt a lower or different standard of value from market value in making the official assessment and appraisal of the value of property in class one and classes seven through eighteen. For purposes of taxation, assessed value is the same as appraised value.

(4) The taxable value for all property in class one, ~~and~~ classes seven through eighteen, and class [eleven] is the percentage of market value established for each class of property in 15-6-102 and 15-6-108 through 15-6-119 and [section 1].

(5) The assessed value of properties in 15-6-103 through 15-6-107 and 15-6-120 is as follows:

(a) Property in 15-6-106, under class five, is assessed at 100% of book value by the method established in 15-6-106 and the sections cited therein.

(b) Properties in 15-6-103, under class two, are assessed at 100% of the annual net proceeds after deducting the expenses specified and allowed by 15-23-503.

(c) Properties in 15-6-104, 15-6-105, and 15-6-120, under classes three, four, and nineteen are assessed at 100% of the annual gross proceeds.

(d) Properties in 15-6-107, under class six, are assessed at 100% of the productive capacity of the lands when valued for agricultural purposes. All lands that meet the qualifications of 15-7-202 are valued as agricultural lands for tax purposes.

(6) Land and the improvements thereon are separately assessed when any of the following conditions occur:

(a) ownership of the improvements is different from ownership of the land;

(b) the taxpayer makes a written request; or

(c) the land is outside an incorporated city or town.

(7) The taxable value of all property in classes two through six is the percentage of assessed value established in 15-6-103 through 15-6-107 for each class of property."'

(e) the code commissioner may change the number of the new class if more than one bill creating new property tax classes is signed by the governor."

And as amended, be concurred in. Report adopted.

Adverse Committee Reports

On motion by Bardanouve, the Adverse Committee Report on HB 743 was adopted by the following vote: (70-22)

Ayes: Azzara, Baeth, Bardanouve, Bertelsen, Cooney, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Eudaily, Fabrega, Fagg, Feda, Frates, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 70

Noes: Anderson, Bengtson, Bennett, Brand, Burnett, Conroy, Curtiss, Ernst, Gesek, Gilligan, Hand, Harrington, Lund, Manuel, Pistoria, Ramirez, K. Robbins, Staigmiller, Stobie, Thoft, Tropila, Vinger.
Total 22

Excused: Seifert.
Total 1

Absent or not voting: Daily, Gould, Hurwitz, Keedy, Scully, Teague, Wyrick.
Total 7

On motion by Bardanouve, the Adverse Committee Report on HB 818 was adopted by the following vote: (69-25)

Ayes: Baeth, Bardanouve, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellison, Fabrega, Fagg, Feda, Frates, Gesek, Hand, Harper, Harrington, Hayne, Hirsch, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Kessler, Keyser, Kropp, Kvaalen, Lien, Lund, McBride, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, Porter, Quilici, Ramirez, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Underdal, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 69

Noes: Anderson, Azzara, Bengtson, Brand, Daily, Dussault, Ellis, Ernst, Eudaily, Gilligan, Gould, Hemstad, Holmes, Kemmis, Lory, Magone, Nordtvedt, Oberg, Pavlovich, Reichert, H. Robbins, Tropila, Uhde, Vincent, Waldron.
Total 25

Excused: Seifert.
Total 1

Absent or not voting: Hurwitz, Keedy, Pistoria, Scully, Teague.
Total 5

On motion by Bardanouve, the Adverse Committee Report on HB 889 was adopted by the following vote: (64-30)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Day, Donaldson, Dozier, Dussault, Ellis, Eudaily, Fagg, Feda, Frates, Gesek, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Iverson, Jensen, Johnson, Kanduch, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lund, McBride, Manning, Marks, Menahan, Metcalf, Meyer, Moore, Porter, Quilici, Ramirez, Reichert, K.

Robbins, Rosenthal, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Underdal, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 64

Noes: Bengtson, Brand, Daily, Dassinger, Ellerd, Ellison, Ernst, Fabrega, Gilligan, Holmes, Johnston, Keyser, Lory, Magone, Manuel, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, H. Robbins, Roth, Sales, Schultz, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron.
Total 30

Excused: Seifert.
Total 1

Absent or not voting: Hurwitz, Keedy, Oberg, Scully, Teague.
Total 5

On motion by Bardanouve, the Adverse Committee Report on HB 920 was not adopted by the following vote: (46-49)

Ayes: Azzara, Bardanouve, Bennett, Bertelsen, Burnett, Day, Dussault, Ellis, Fabrega, Fagg, Feda, Frates, Harper, Hirsch, Iverson, Jensen, Johnson, Kanduch, Kemmis, Kessler, Kvaalen, Lory, Lund, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, Oberg, Porter, Quilici, Ramirez, Sales, Schultz, Shelden, Sivertsen, South, Spilker, Stobie, Vinger, Waldron, Wood, Wyrick, Yardley, Mr. Speaker.
Total 46

Noes: Anderson, Baeth, Bengtson, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Ellerd, Ellison, Ernst, Eudaily, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Holmes, Huennekens, Johnston, Keyser, Kropp, Lien, McBride, Magone, Manning, Manuel, Metcalf, O'Connell, Pavlovich, Pistoria, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Smith, Staigmiller, Thoft, Tropila, Uhde, Underdal, Vincent, Williams.
Total 49

Excused: Seifert.
Total 1

Absent or not voting: Hurwitz, Keedy, Scully, Teague.
Total 4

On motion by Huennekens, the Adverse Committee Report on SB 300 was adopted by the following vote: (77-16)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Manning, Manuel, Menahan, Metcalf, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Shelden, Sivertsen, South, Spilker, Staigmiller, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 77

Noes: Brand, Burnett, Ernst, Hand, Hayne, Hemstad, Kvaalen, Magone, Marks, Meyer, Nordtvedt, Sales, Smith, Stobie, Underdal, Wyrick.
Total 16

Excused: Seifert.
Total 1

Absent or not voting: Ellerd, Eudaily, Hurwitz, Keedy, Scully, Teague. Total 6

MESSAGES FROM THE OTHER HOUSE

Conference Committee Reports adopted: 4/13/79

Joint Conference Committee Report on Senate Bill No. 2

Joint Conference Committee Report on House Bill No. 678

Free Conference Committee Report on House Bill No. 842

The Senate on 4/13/79, dissolved the Free Conference Committee on Senate Bill No. 217 and appointed a New Free Conference Committee and requested that the House of Representatives appoint a like committee to meet with the Senate to confer on Senate Bill No. 217.

The President appointed the following members:

Senator B. Brown, Chairman
Senator Turnage
Senator Stimatz

The Senate on 4/13/79, dissolved the Free Conference Committee on Senate Bill No. 170 and appointed a New Free Conference Committee and requested that the House of Representatives appoint a like committee to confer on Senate Bill No. 170.

The President appointed the following members:

Senator Rasmussen, Chairman
Senator Towe
Senator Hager

The Senate on 4/13/79, dissolved the Free Conference Committee on Senate Bill No. 221 and appointed a New Free Conference Committee and requested that the House of Representatives appoint a like committee to confer on Senate Bill No. 221.

The President appointed the following members:

Senator Turnage, Chairman
Senator S. Brown
Senator O'Hara

House Bills and House Joint Resolution concurred in and returned to the House: 4/13/79

House Bill No. 410, introduced by Thoft, Johnston, Burnett, Marks, Day, et al

House Bill No. 890, introduced by Brand, Ramirez, Gerke, Dussault, et al

House Joint Resolution No. 62, introduced by House Agriculture Committee (Day, Chairman)

House Bills and House Joint Resolution concurred in as amended and returned to the House for concurrence in Senate Amendments: 4/13/79

House Bill No. 273, introduced by Azzara, Eudaily, Huennekens, Daily, et al

House Bill No. 547, introduced by Daily, Lory, Hand, Menahan, Gould, et al

House Bill No. 692, introduced by Dussault

House Bill No. 760, introduced by Meyer, McCallum, Fabrega, Moore

House Bill No. 770, introduced by Feda, Burnett, Marks, et al

House Bill No. 894, introduced by Burnett

House Bill No. 921, introduced by Bardanouve

House Joint Resolution No. 61, introduced by Ernst, Conover, Underdal, Nathe, et al

House Bill indefinitely postponed and returned to the House: 4/13/79

House Bill No. 915, introduced by the Taxation Committee (Huennekens, Chairman)

Governor's Amendments to Senate Bill adopted and transmitted to the House for concurrence in Governor's Amendments: 4/13/79

Senate Bill No. 250, introduced by Turnage

House Amendments to Senate Bills concurred in: 4/13/79

House Amendments to Senate Bill No. 370, introduced by Etchart, et al

House Amendments to Senate Bill No. 448, introduced by Goodover

MOTIONS

Conroy moved that HB 902 be taken from the Committee on Appropriations and placed on Second Reading this day. After some discussion, he withdrew his motion and made a substitute motion that HB 902 be taken from the Committee on Appropriations and placed on Second Reading on the Eighty-seventh Legislative Day. Motion carried. (76-14)

Pistoria moved that the rules be temporarily suspended to allow him to introduce a new bill. Motion failed. (36-45)

Dussault moved that SB 172 be taken from the Committee on Rules and placed on Third Reading. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Joint Resolution No. 67 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Bennett, Brand, Magone, Manning, Oberg.
Total 5

Excused: Seifert.
Total 1

Absent or not voting: Lund, Scully, Teague.
Total 3

Senate Bill No. 71 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Brand, Ellerd, Feda, Hurwitz, Sales, Smith, Thoft, Wood.
Total 8

Excused: Seifert.
Total 1

Absent or not voting: Scully, Teague.
Total 2

Senate Bill No. 75 was concurred in by the following vote:

Ayes: Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Dassinger, Day, Donaldson, Dozier, Ellerd, Ernst, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hirsch, Huennekens, Jensen, Johnston, Kanduch, Kessler, Keyser, Kropp, Lien, McBride, Manning, Manuel, Metcalf, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, South, Spilker, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Yardley, Mr. Speaker.
Total 59

Noes: Anderson, Azzara, Bardanouve, Brand, Curtiss, Daily, Dussault, Ellis, Eudaily, Feda, Harper, Hayne, Hemstad, Holmes, Hurwitz, Iverson, Johnson, Keedy, Kemmis, Kvaalen, Lory, Lund, Magone, Marks, Menahan, Meyer, Moore, Quilici, K. Robbins, Shelden, Sivertsen, Smith, Staigmiller, Stobie, Wood, Wyrick.
Total 36

Excused: Seifert.
Total 1

Absent or not voting: Ellison, Oberg, Scully, Teague.
Total 4

Senate Bill No. 142 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson,

Johnston, Kanduch, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, South, Spilker, Staigmiller, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Brand, Hayne, Kemmis, Smith, Stobie.
Total 5

Excused: Seifert.
Total 1

Absent or not voting: Scully, Teague.
Total 2

Senate Bill No. 174 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Marks, Metcalf, Meyer, Nathe, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Thoft, Underdal, Vincent, Vinger, Waldron, Wood, Wyrick, Yardley.
Total 75

Noes: Bardanouve, Brand, Dassinger, Dussault, Gilligan, Harper, Keedy, Manuel, Menahan, Moore, Nordtvedt, Oberg, Quilici, Rosenthal, Roth, Sales, Schultz, Smith, Tropila, Uhde, Williams, Mr. Speaker.
Total 22

Excused: Seifert.
Total 1

Absent or not voting: Scully, Teague.
Total 2

Senate Bill No. 306 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Shelden, Sivertsen, South, Spilker, Staigmiller, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: Bengtson, Ellerd, Ellis, Hayne, Jensen, Smith, Stobie, Thoft.
Total 8

Excused: Seifert.

Total 1

Absent or not voting: Sales, Scully, Teague.
Total 3

Senate Bill No. 415 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Seifert.
Total 1

Absent or not voting: Scully, Teague.
Total 2

Senate Bill No. 521 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: Brand, Iverson.
Total 2

Excused: Seifert.
Total 1

Absent or not voting: Scully, Teague.
Total 2

Senate Joint Resolution No. 4 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ernst, Eudaily, Fabrega, Feda, Gesek, Gilligan, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Lien, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell,

Pavlovich, Quilici, Reichert, Rosenthal, Shelden, Sivertsen, South, Staigmiller, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams.
Total 63

Noes: Bennett, Burnett, Conroy, Donaldson, Ellerd, Ellis, Frates, Gould, Hayne, Hemstad, Iverson, Kropp, Kvaalen, Lory, Marks, Nordtvedt, Pistoria, Porter, Ramirez, H. Robbins, K. Robbins, Roth, Sales, Schultz, Smith, Spilker, Stobie, Vinger, Wood, Wyrick, Yardley, Mr. Speaker.
Total 32

Excused: Seifert.
Total 1

Absent or not voting: Ellison, Fagg, Scully, Teague.
Total 4

Senate Joint Resolution No. 5 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Lien, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, Rosenthal, Shelden, Sivertsen, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams.
Total 62

Noes: Bardanouve, Burnett, Conroy, Donaldson, Ellerd, Ellis, Ellison, Eudaily, Gould, Hayne, Hemstad, Hurwitz, Iverson, Jensen, Kropp, Kvaalen, Lory, Marks, Nordtvedt, Porter, Ramirez, K. Robbins, Roth, Sales, Schultz, Smith, South, Spilker, Staigmiller, Stobie, Vinger, Wood, Wyrick, Yardley, Mr. Speaker.
Total 35

Excused: Seifert.
Total 1

Absent or not voting: Scully, Teague.
Total 2

Senate Joint Resolution No. 29 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lund, McBride, Magone, Manning, Manuel, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Roth, Schultz, Shelden, Sivertsen, South, Spilker, Staigmiller, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Wyrick, Mr. Speaker.
Total 73

Noes: Azzara, Bengtson, Brand, Eudaily, Feda, Harper, Hayne, Hurwitz, Iverson, Kanduch, Kvaalen, Lory, Marks, Menahan, Moore, H. Robbins, Rosenthal, Sales, Smith, Stobie, Underdal, Vinger, Wood, Yardley.
Total 24

Excused: Seifert.
Total 1

Absent or not voting: Scully, Teague.

Total 2

Senate Amendments to House Bill No. 282 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Shelden, Sivertsen, South, Spilker, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 83

Noes: Burnett, Feda, Moore, Roth, Staigmiller, Thoft.
Total 6

Excused: Seifert.
Total 1

Absent or not voting: Eudaily, Hayne, Hurwitz, Kropp, Lory, Scully, Smith, Stobie, Teague, Uhde.
Total 10

Senate Amendments to House Bill No. 299 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Schultz, Shelden, Sivertsen, Spilker, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 86

Noes: Burnett, Keedy, K. Robbins, Roth, Smith, Staigmiller.
Total 6

Excused: Seifert.
Total 1

Absent or not voting: Curtiss, Dozier, Hayne, O'Connell, Scully, South, Teague.
Total 7

Senate Amendments to House Bill No. 418 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund,

McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Shelden, Sivertsen, South, Spilker, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 87

Noes: Burnett, Feda, Hurwitz, Keedy, Moore, Roth, Smith, Staigmiller.
Total 8

Excused: Seifert.
Total 1

Absent or not voting: Hayne, Scully, Stobie, Teague.
Total 4

Senate Amendments to House Bill No. 427 were concurred in by the following vote:

Ayes: Azzara, Baeth, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, South, Spilker, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 81

Noes: Anderson, Bardanouve, Brand, Burnett, Dassinger, Keedy, K. Robbins, Smith, Staigmiller, Thoft.
Total 10

Excused: Seifert.
Total 1

Absent or not voting: Hayne, Hemstad, Hurwitz, Lien, Scully, Stobie, Teague, Wood.
Total 8

Senate Amendments to House Bill No. 534 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Burnett.
Total 1

Excused: Seifert.
Total 1

Absent or not voting: Hayne, Jensen, Pistoria, Scully, Stobie, Teague.
Total 6

Senate Amendments to House Bill No. 643 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, South, Spilker, Staigmiller, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Burnett, Dassinger, Smith.
Total 3

Excused: Seifert.
Total 1

Absent or not voting: Keedy, Scully, Stobie, Teague.
Total 4

Senate Amendments to House Bill No. 669 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Burnett, K. Robbins, Roth.
Total 3

Excused: Seifert.
Total 1

Absent or not voting: O'Connell, Scully, Stobie, Teague.
Total 4

Senate Amendments to House Bill No. 796 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson,

Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: Bardanouve.
Total 1

Excused: Seifert.
Total 1

Absent or not voting: Scully, South, Stobie, Teague.
Total 4

Senate Amendments to House Bill No. 830 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Day, Donaldson, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Gesek, Gould, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, South, Spilker, Staigmiller, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 80

Noes: Brand, Daily, Dassinger, Dozier, Ellison, Frates, Harper, Huennekens, McBride, Manning, Oberg, Quilici, Vinger, Yardley.
Total 14

Excused: Seifert.
Total 1

Absent or not voting: Gilligan, Scully, Smith, Stobie, Teague.
Total 5

Senate Amendments to House Bill No. 845 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Seifert.
Total 1

Absent or not voting: Bengtson, Day, Pistoria, Scully, Stobie, Teague.
Total 6

Senate Amendments to House Bill No. 910 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Burnett, Conroy, Staigmiller.
Total 3

Excused: Seifert.
Total 1

Absent or not voting: Hand, Scully, Stobie, Teague.
Total 4

Senate Amendments to House Joint Resolution No. 59 were concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 87

Noes: Azzara, Brand, Hemstad, Keedy, Marks, Metcalf, Rosenthal.
Total 7

Excused: Seifert.
Total 1

Absent or not voting: Ellison, Nordtvedt, Scully, Stobie, Teague.
Total 5

Menahan moved that the Conference Committee Report on Senate Amendments to House Bill No. 248 be passed for the day. Motion carried.

Conference Committee Report on Senate Amendments to House Bill No. 365 was adopted by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Schultz, Shelden, Sivertsen, South, Spilker, Thoft, Tropila, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 82

Noes: Anderson, Brand, Burnett, Conroy, Hand, Kanduch, Lien, K. Robbins, Smith, Staigmiller, Uhde, Vinger.
Total 12

Excused: Seifert.
Total 1

Absent or not voting: Nordtvedt, Roth, Scully, Stobie, Teague.
Total 5

Free Conference Committee Report on House Bill No. 759 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Roth, Sales, Schultz, Sivertsen, Smith, South, Spilker, Staigmiller, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 91

Noes: Keedy, H. Robbins.
Total 2

Excused: Seifert.
Total 1

Absent or not voting: Kemmis, Marks, Scully, Shelden, Stobie, Teague.
Total 6

Free Conference Committee Report on House Bill No. 768 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer,

Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: None.
Total 0

Excused: Seifert.
Total 1

Absent or not voting: Kanduch, Kemmis, Marks, Scully, Stobie, Teague, Thoft.
Total 7

Governor's Amendments to House Bill No. 436 were adopted by the following vote:

Ayes: Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Anderson, Ellison, Moore, Wood.
Total 4

Excused: Seifert.
Total 1

Absent or not voting: Jensen, Nordtvedt, Scully, Stobie, Teague.
Total 5

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Keyser in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 542 do pass. (73-25)

Scully, Teague excused at this time.

That HB 924 do pass. (68-23)

That SB 220 be concurred in. (76-8)

That SB 286, reference bill, be amended as follows: (68-16)

1. Title, line 4.
Following: "INCREASE"
Insert: ", FOR AN 8-YEAR TERM,"

2. Title.
Following: line 5
Insert: "TO CLARIFY THAT A MAJORITY OF ALL THE JUSTICES MUST CONCUR IN ANY DECISION OF THE COURT;"

3. Title, line 6.
Following: "3-2-101"
Insert: ", 3-2-302,"

4. Page 2.
Following: line 11
Insert: "SECTION 4. SECTION 3-2-302, MCA, IS AMENDED TO READ:

'3-2-302. Quorum. A majority of the justices is necessary to form a quorum of the court. ~~or pronounce a~~ Any decision must be concurred in by a majority of the justices of the court, but one or more of the justices may adjourn the court from day to day or to a day certain.'

Section 5. Effective period. This act is effective until the first Monday of January, 1989, at which time the number of associate justices authorized by this act shall revert to four. The code commissioner is directed to make appropriate changes in the Montana Code Annotated to reflect the intent of this section.

Section 6. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

And as amended, be concurred in. Motion failed. (48-48)

That SB 286, as amended, be not concurred in. Motion failed. (49-50)

Dussault moved that the House reconsider its action on SB 286. Motion carried. (58-35)

That SB 286, as amended, be concurred in. (50-49)

That SB 303 be concurred in. (83-2)

Lund moved that SB 319, as amended, be passed to the bottom of the board. Motion carried.

That SB 389 be concurred in. (73-1)

That SB 459 be concurred in. (81-3)

That SA to HB 895 be concurred in. (68-13)

Yardley moved that SA to HB 913 pass consideration for the day. Motion carried.

That SA to HJR 42 be concurred in. (85-0)

That SA to HJR 56 be concurred in. (69-18)

Kemmis moved that Free CC on SB 78 pass consideration for the day. Motion carried.

That Free CC on SB 106 be adopted. (79-2)

That SB 319, third reading copy, be amended as follows: (77-2)

1. Title, lines 4 and 5.
Following: "AN ACT"
Strike: "TO PROVIDE FOR A TWO-THIRDS VOTE OF EACH HOUSE FOR APPROVAL OF"
Insert: "PERTAINING TO"

2. Title, line 6.
Following: "APPROPRIATIONS"
Strike: "EXCEPT IN EMERGENCY SITUATIONS"

3. Title, line 7.
Following: "THE"
Strike: "LEGISLATIVE FINANCE COMMITTEE"
Insert: "ATTORNEY GENERAL"

4. Page 1, line 24.
Following: "appropriation"
Insert: "or authorized budget amendment"

5. Page 2, line 22 through line 4 on page 3.
Strike: subsection (3) in its entirety

6. Page 3, line 21.
Following: line 20
Strike: "legislative finance committee"
Insert: "attorney general"

7. Page 3, line 24 through line 2 on page 4.
Strike: section 3 in its entirety
Renumber: subsequent section

That SB 319, third reading copy, be further amended as follows: (83-0)

1. Page 2, line 9.
Following: "appropriation"
Insert: "or authorized budget amendment"

And as amended, be concurred in. (61-24)

That the Committee rise and report. (Keyser, Chairman). Keyser moved that the Committee of the Whole Report be deemed read. Motion carried. Report adopted. (72-6)

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 4/16/79

Correctly enrolled - HB 116, HB 213, HB 269, HB 284, HB 356, HB 442, HB 903, HB 900, HB 905, HJR 60.

Examined by the Sponsor and found to be correct - HB 116, HB 213, HB 269, HB 284, HB 356, HB 442, HB 903, HB 900, HB 905, HJR 60.

Will be signed by the Speaker on adjournment, 4/16/79 - HB 116, HB 213, HB 269, HB 284, HB 356, HB 442, HB 900, HB 903, HB 905, HJR 60.

Do Pass

TAXATION (Huennekens, Chairman): 4/16/79
SB 99, third reading copy, be amended as follows:

1. Title, line 9.
Following: "BUY"
Strike: ", IMPORT,"

2. Page 6, line 13.
Following: "of"
Strike: "seventy-five"
Insert: "20"
Following: "cents"
Strike: "(75)"

3. Page 6, line 14.
Following: line 13
Strike: "gallon"
Insert: "liter"

4. Page 6, line 22.
Following: "~~regulations.~~"
Strike: "60"
Insert: "16 cents"

5. Page 6, line 23.
Following: "fund"
Strike: "; 5"
Insert: "and of the remaining 4 cents one-third"

6. Page 6, line 25.
Following: "alcoholism"
Strike: "; 5"
Insert: ", one-third"

7. Page 7, line 2.
Following: "16-1-404"
Strike: ";"
Insert: ","
Following: "and"
Strike: "5"
Insert: "one-third"

8. Page 13, line 20 through line 19 on page 14.
Following: line 19 on page 14
Strike: sections 8 and 9 in their entirety
Insert: "SECTION 8. THERE IS A NEW MCA SECTION THAT READS:

Department prohibited from engaging in unfair competition. (1) The department in engaging in the retail sale of table wine is subject to the provisions of Title 30, chapter 14, parts 1 and 2, except those provisions relating to enforcement and penalties.

(2) A person aggrieved by a violation of this section by the department may maintain an action to enjoin the alleged violation and for the recovery of damages in the district court of the district where the conduct complained of occurred or where the department's principal office is located.

SECTION 9. THERE IS A NEW MCA SECTION THAT READS:

Transition period. (1) In order to make an orderly transition to the wine marketing policies set forth in Initiative 81 and [this act], the department shall, prior to July 1, 1979:

(a) issue licenses or temporary authorizations to distribute or retail wine to applicants who qualify under the provisions of Initiative 81; and

(b) authorize licensed wine distributors to import and, during the last 20 days of June 1979, distribute to licensed wine retailers, stocks of table wine that may not be sold to the public prior to July 1, 1979.

(2) The department may:

(a) sell at retail after July 1, 1979, and until liquidated, the inventory of table wine on hand in its warehouse and state liquor stores at the close of business on June 30, 1979; and

(b) adopt temporary rules under 2-4-303 to implement Initiative 81 and [this act] without being required to find an imminent peril to public health, safety, or welfare.

Section 10. Effective date. (1) Sections 1 through 8 of this act are effective on July 1, 1979.

(2) Section 9 of this act is effective on passage and approval."

Further respectfully report that Statement of Intent to SB 99, second reading copy, be amended as follows:

1. Page 1, line 23 through line 2 on page 2.
Following: "systems."
Strike: remainder of line 23 on page 1 through line 2 on page 2

2. Page 2.
Following: line 2
Insert: "Section 9 of the bill allows the department to adopt temporary rules in order to make an orderly transition to the new wine-marketing policies. Rules that can be anticipated include rules regarding the issuance of temporary authorization to distribute and retail table wine and procedures allowing distributors and retailers to make table wine available under the new system on July 1, 1979.

The rulemaking authority granted in section 10 is not an expansion of the rulemaking authority granted to the department in section 6, but is only to provide for an orderly transition."

And as amended, be concurred in. Report adopted.

SB 463, third reading copy, be amended as follows:

1. Page 1, line 16.
Following: "tax"
Strike: "not to exceed 3 ½ mills"

2. Page 1, line 18.
Following: "3-5-215."
Insert: "The tax may not exceed 6 mills in the first- and second-class counties, 5 mills in third- and fourth-class counties, and 4 mills in fifth-, sixth-, and seventh-class counties."

3. Page 2, line 10.
Following: "grants"

Strike: "from its funds"

4. Page 2, line 12.
Following: "section."
Insert: "The grants are to be made from funds appropriated to the department for that purpose."

And as amended, be concurred in. Report adopted.

Adverse Committee Reports

APPROPRIATIONS (Bardanouve, Chairman): 4/12/79
HB 888, do not pass.
HB 893, do not pass.
HB 904, do not pass.

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE
ON SENATE BILL NO. 217
Report No. 2, April 16, 1979

Mr. President and Speaker of the House:

We, your Free Conference Committee on Senate Bill No. 217, met on April 5, 1979, and considered:

1. House Judiciary Committee amendments, dated March 19, 1979, third reading copy.

We recommend that:

1. the House recede from Standing Committee amendment numbers 1 through 56;

2. Senate Bill No. 217 be further amended as indicated in CLERICAL INSTRUCTIONS;

3. the Free Conference Committee Report on Senate Bill No. 217 be adopted.

CLERICAL INSTRUCTIONS:

1. Title, line 5.
Following: line 4
Strike: "A REMEDY"
Insert: "REMEDIES"

2. Title, line 6.
Following: "DAMAGES"
Insert: "AND A MOTION FOR SUPPRESSION"
Following: "A"
Strike: "SUBSTANTIAL"

3. Title, line 10.
Following: "SEIZURE"
Strike: "AND TO REVISE THE EXCLUSIONARY RULE, RELATING TO THE"
Insert: "IN LIEU OF"

4. Page 1, line 19.
Following: line 18
Strike: the entire bill following the enacting clause
Insert: "**NEW SECTION.** Section 1. Short title. [Sections 1 through 16] may be cited as the 'Montana Civil Rights and Claims Act'.

NEW SECTION. Section 2. Exclusive remedies. [Sections 1 through 16] provide the exclusive remedies in the state of Montana for the violation of the rights of a person that are protected by the fourth amendment of the United States constitution; or Article II, sections 10 or 11, of the Montana constitution; or the laws of Montana relating to search and seizure caused or committed in violation of the constitutional or statutory rights of another by an employee or agent of the state or any of its political subdivisions.

NEW SECTION. Section 3. Cause of action for damages — admissibility of evidence. (1) Any person subject to search or seizure has a cause of action for damages under [sections 1 through 16] if the search or seizure is in violation of the fourth amendment of the United States constitution; or Article II, sections 10 or 11, of the Montana constitution; or the laws of Montana relating to search and seizure against any agent or employee of the state or any of its political subdivisions who causes or commits a violation of the constitutional or statutory rights of another.

(2) Persons, papers, homes, effects, or other things searched or seized in violation of the fourth amendment of the United States constitution; or Article II, sections 10 or 11 of the Montana constitution; or the laws of Montana relating to search and seizure, if otherwise admissible, may not be excluded from use in any criminal proceeding because of such violation except as provided in [section 16].

NEW SECTION. Section 4. Civil liability. (1) Civil liability under [sections 1 through 16] is based upon proof by a preponderance of the evidence that there was a violation of the rights of a person that are protected by the fourth amendment of the United States constitution; or Article II, sections 10 or 11 of the Montana constitution; or the laws of Montana relating to search and seizure committed or caused by an employee or agent of the state or any of its political subdivisions.

(2) The governmental agency employing or controlling an employee or agent of the state or any of its political subdivisions is liable for violations under [sections 1 through 16] whenever such violations are committed or caused by the employee or agent while acting within the scope of his employment or under color of law. It is not a defense that the act causing the violation was illegal.

(3) Whenever an employee or agent of the state or any of its political subdivisions causes or commits a violation under [sections 1 through 16] while acting outside the scope of his employment and not under color of law, he is personally liable to the person whose rights were violated.

NEW SECTION. Section 5. Damages. (1) Whenever it is determined that there was a violation of a constitutional or statutory right, a claimant may be awarded reasonable compensation for:

(a) property damage;

(b) personal damage;

(c) attorney fees; and

(d) costs.

(2) The limitations on damages contained in sections 2-9-104 and 2-9-105, MCA, concerning suits against the state or any political subdivision shall not apply.

NEW SECTION. Section 6. Waiver of sovereign immunity. The state, counties, cities, towns and all other local governmental entities shall have no immunity from suit for a cause of action under [sections 1 through 16].

NEW SECTION. Section 7. Jurisdiction. The district court has jurisdiction over any action brought under [sections 1 through 16] provided however that any district court judge who has passed upon the sufficiency of any process involved in the search or seizure, or who has been involved in the criminal trial of a person who brings a suit under [sections 1 through 16] shall be disqualified to sit and act on a cause of action under [sections 1 through 16] except to arrange the calendar, to transfer the action to another court and to call in another judge to sit and act. Such actions are governed by the Montana Rules of Civil Procedure and the Montana Rules of Evidence insofar as they are consistent with [sections 1 through 16].

NEW SECTION. Section 8. Venue. Civil actions brought against the state or any of its political subdivisions under [sections 1 through 16] shall be brought in Lewis and Clark County or the county where the violation occurred.

NEW SECTION. Section 9. Statute of limitations. Each civil cause of action permitted under [sections 1 through 16] is forever barred unless an action is begun within 2 years after the violation occurs.

NEW SECTION. Section 10. Judgment as obligation of state or political subdivision. A final judgment against the state or a political subdivision is an obligation of the state or the political subdivision and shall be paid in the same manner as any other claim against the state or political subdivision.

NEW SECTION. Section 11. Appeal — bond not required of state or political subdivision. The right of appeal from final judgment in the district court shall be filed directly with the supreme court of Montana in the manner provided by law for appeals from the district court in civil cases, except that the state or political subdivision is not required to post a bond either on appeal or at any time during the litigation.

NEW SECTION. Section 12. Disciplinary actions. (1) An employee or agent of the state or any of its political subdivisions who is determined by the district court to have knowingly violated the constitutional or statutory rights of a person shall be suspended or dismissed as follows:

(a) Upon the first occurrence, he shall be suspended for 30 days.

(b) Upon the second occurrence, he shall be suspended for 90 days.

(c) Upon the third occurrence, he shall be suspended for 6 months.

(d) Upon the fourth occurrence, he shall be permanently dismissed.

(2) No employee or agent of the state or any of its political subdivisions shall be suspended or dismissed if the agent or employee committing or causing the violation acted in good faith and believed

his conduct comported with existing law and he had reasonable grounds for this belief.

NEW SECTION. Section 13. No effect on causes of action arising under the Montana Comprehensive State Insurance Plan and Tort Claims Act, except as provided in [section 5]. Nothing in [section 1 through 16] affects any cause of action arising under Title 2, chapter 9, parts 1 through 3, popularly known as the Montana Comprehensive State Insurance Plan and Tort Claims Act.

NEW SECTION. Section 14. Criminal liability. Nothing in [sections 1 through 16] affects the criminal liability of an employee or agent of the state or any of its political subdivisions.

Section 15. Section 46-5-104, MCA, is amended to read:

'46-5-104. Admissibility in other proceedings. Instruments, articles, or things ~~lawfully~~ seized are admissible as evidence upon any prosecution or proceeding whether or not the prosecution or proceeding is for the offense in connection with which the search or seizure was originally made except as provided in [section 16].'

Section 16. Section 46-13-302, MCA, is amended to read:

'46-13-302. Motion to suppress evidence ~~illegally~~ seized. (1) A defendant aggrieved by ~~an unlawful~~ a search ~~and~~ or seizure made in violation of the fourth amendment of the constitution of the United States; Article II, sections 10 or 11 of the Montana constitution; or the laws of Montana relating to search and seizure may move the court to suppress as evidence anything so obtained. The motion shall be in writing and state facts showing wherein the search ~~and~~ or seizure ~~were unlawful~~ was a violation of constitutional or statutory rights.

(2) The motion shall be made before trial unless for good cause shown the court shall otherwise direct.

(3) The defendant shall give at least 10 days' notice of such motion to the attorney prosecuting or such other time as the court may direct. The defendant shall serve a copy of the notice and motion upon the attorney prosecuting.

(4) ~~If the allegations of the motion state facts which if true show that the search and seizure were unlawful, the~~ The court shall conduct a hearing into the merits of the motion. ~~The burden of proving that the search and seizure were unlawful shall be on the defendant.~~

~~(5)~~ If the motion is granted, the evidence shall not be admissible against the movant at any trial of the case. The court shall not exclude such evidence unless the violation was knowingly caused or committed and was an unconscionable violation of the constitutional or statutory rights protected by the fourth amendment of the United States constitution; or Article II, sections 10 or 11 of the Montana constitution; or the laws of Montana relating to search and seizure.'"

FOR THE HOUSE:

YARDLEY
KEMMIS
RAMIREZ

FOR THE SENATE:

B. BROWN
TURNAGE
STIMATZ

MESSAGES FROM THE GOVERNOR

The Honorable Harold Gerke
Speaker, House of Representatives
State Capitol
Helena, Montana 59601

4/16/79

Dear Mr. Speaker:

This is to inform you that I have signed the following measures this date:

House Bill Nos. 181, 191, 334, 457, 471, 489, 608, 684, 702, 811 and 898.

Sincerely,

Thomas L. Judge
Governor

MOTIONS

Dussault moved that the rules be temporarily suspended so that all bills passed, amendments concurred in, and Conference Committee Reports adopted on Second Reading this day be placed on Third Reading this day. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 542 was passed by the following vote:

Ayes: Azzara, Baeth, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Shelden, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Yardley, Mr. Speaker.
Total 76

Noes: Anderson, Bardanouve, Burnett, Ellerd, Ellison, Hirsch, Hurwitz, Kropp, Kvaalen, Nordtvedt, Ramirez, Sales, Sivertsen, Smith, Spilker, Wood, Wyrick.
Total 17

Excused: Scully, Seifert, Teague.
Total 3

Absent or not voting: Brand, Fagg, Quilici, South.
Total 4

House Bill No. 924 was passed by the following vote:

Ayes: Anderson, Baeth, Bengtson, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellison, Ernst, Fabrega, Fagg, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Keyser, Kropp, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich,

Pistoria, Ramirez, H. Robbins, K. Robbins, Roth, Sales, Schultz, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Tropila, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.
Total 70

Noes: Azzara, Bardanouve, Bennett, Bertelsen, Dussault, Ellis, Eudaily, Feda, Holmes, Huennekens, Kemmis, Kessler, Lory, Metcalf, Oberg, Porter, Reichert, Rosenthal, Shelden, Thoft, Uhde, Waldron, Yardley.
Total 23

Excused: Scully, Seifert, Teague.
Total 3

Absent or not voting: Brand, Gesek, Quilici, South.
Total 4

Senate Bill No. 220 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Burnett, Day, Lund, Nordtvedt, Sales, Thoft, Vinger.
Total 7

Excused: Scully, Seifert, Teague.
Total 3

Absent or not voting: Harrington.
Total 1

Senate Bill No. 286 was concurred in by the following vote:

Ayes: Azzara, Baeth, Bennett, Bertelsen, Brand, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Fabrega, Frates, Gesek, Gilligan, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnson, Kanduch, Kemmis, Kessler, Lory, Lund, McBride, Magone, Manning, Manuel, Metcalf, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Scully, Shelden, South, Teague, Tropila, Uhde, Vincent, Williams, Yardley, Mr. Speaker.
Total 52

Noes: Anderson, Bardanouve, Bengtson, Burnett, Conroy, Curtiss, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fagg, Feda, Gould, Hand, Hayne, Hemstad, Hurwitz, Iverson, Jensen, Johnston, Keyser, Kropp, Kvaalen, Lien, Marks, Menahan, Meyer, Moore, Nordtvedt, Porter, K. Robbins, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Thoft, Underdal, Vinger, Waldron, Wood, Wyrick.
Total 47

Paired: Scully, Teague, Vincent, Ayes; Marks, Seifert, Sivertsen, Noes.

Excused: None.

Total 0

Absent or not voting: Keedy.
Total 1

Senate Bill No. 303 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Scully, Seifert, Teague.
Total 3

Absent or not voting: Nordtvedt.
Total 1

Senate Bill No. 389 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Burnett, Ellerd, Hurwitz, Roth, Sales, Smith, Vinger.
Total 7

Excused: Scully, Seifert, Teague.
Total 3

Absent or not voting: Nordtvedt.
Total 1

Senate Bill No. 459 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen,

Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Brand, Johnson, Stobie, Wood.
Total 4

Excused: Scully, Seifert, Teague.
Total 3

Absent or not voting: None.
Total 0

Senate Amendments to House Bill No. 895 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Brand, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Schultz, Shelden, Sivertsen, South, Stobie, Uhde, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 71

Noes: Burnett, Conroy, Curtiss, Ellison, Feda, Keedy, Keyser, Kropp, Moore, K. Robbins, Roth, Spilker, Staigmiller, Thoft, Tropila, Underdal, Vinger, Wyrick.
Total 18

Excused: Scully, Seifert, Teague.
Total 3

Absent or not voting: Bennett, Bertelsen, Ellerd, Hayne, Lory, Nordtvedt, Sales, Smith.
Total 8

Senate Amendments to House Joint Resolution No. 42 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: Brand, Burnett.
Total 2

Excused: Scully, Seifert, Teague.
Total 3

Absent or not voting: None.
Total 0

Senate Amendments to House Joint Resolution No. 56 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Burnett, Conroy, Curtiss, Dassinger, Day, Donaldson, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Hand, Harper, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Roth, Sales, Schultz, Sivertsen, Smith, South, Spilker, Staigmiller, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 76

Noes: Bertelsen, Brand, Cooney, Dozier, Ellis, Gould, Harrington, Holmes, Johnson, McBride, Moore, Oberg, K. Robbins, Rosenthal, Shelden, Thoft, Yardley.
Total 17

Excused: Scully, Seifert, Teague.
Total 3

Absent or not voting: Daily, Hayne, Kanduch, Stobie.
Total 4

Free Conference Committee Report on Senate Bill No. 106 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Roth.
Total 1

Excused: Scully, Seifert, Teague.
Total 3

Absent or not voting: Hirsch, Huennekens, Vinger.
Total 3

Senate Bill No. 319 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek,

Gould, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Magone, Manning, Manuel, Marks, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wyrick, Yardley, Mr. Speaker.
Total 79

Noes: Brand, Cooney, Dozier, Gilligan, Hand, Harper, Holmes, Kanduch, Kemmis, McBride, Menahan, Metcalf, Oberg, Pavlovich, Rosenthal, Waldron, Wood.
Total 17

Excused: Scully, Seifert, Teague.
Total 3

Absent or not voting: Azzara.
Total 1

MOTIONS

Dussault moved that the Governor's Amendments to SB 250 be placed on Second Reading on the Eighty-seventh Legislative Day. Motion carried.

UNFINISHED BUSINESS

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to HB 297:

Pavlovich, Chairman
Lien
Moore

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on HB 916:

Reichert, Chairman
Huennekens
Ramirez

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on HJR 51:

Shelden, Chairman
Kessler
Bertelsen

The Speaker appointed the following New Free Conference Committee of three to meet with a like committee from the Senate on SB 170:

Dassinger, Chairman
Oberg
Ellerd

The Speaker appointed the following New Free Conference Committee of three to meet with a like committee from the Senate on SB 221:

Scully, Chairman
Kemmis
Lory

Dussault moved that the House adjourn until 2:30 p.m., April 17, 1979.

Motion carried.

House adjourned at 4:56 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

EIGHTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
April 17, 1979

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Roth, Seifert, excused; Waldron, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Eighty-fourth Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 4/17/79
Correctly printed - HB 417, HB 761, HB 824, HB 920.

Signed by the Speaker on adjournment, 4/16/79 - HB 116, HB 213, HB 269, HB 284, HB 356, HB 442, HB 682, HB 807, HB 897, HB 900, HB 903, HB 905, HJR 60, SB 429.

Delivered to the Governor for his approval at 9:35 a.m., 4/17/79 - HB 116, HB 213, HB 269, HB 284, HB 356, HB 442, HB 682, HB 807, HB 897, HB 900, HB 903, HB 905.

Do Pass

TAXATION (Huennekens, Chairman): 4/16/79
SB 384, third reading copy, be amended as follows:

1. Title, line 5.
Following: "TAXPAYERS"
Insert: "WHO RESIDE IN A STATE THAT DOES NOT IMPOSE A TAX ON THE INCOME OF NATURAL PERSONS RESIDING IN THAT STATE"

2. Page 1, lines 15 through 17.
Following: "state"
Strike: remainder of line 15 through "RESIDENCE" on line 17

3. Page 2, lines 12 through 19.
Following: "DEPARTMENT."
Strike: remainder of lines 12 through 19 in their entirety

4. Page 2.
Following: line 19
Insert: "(2) In the case of a taxpayer other than a resident of this state who is a resident of a state that imposes a tax on the income of natural persons residing within that state, the deductions allowed in computing net income are restricted to those directly connected with the production of Montana income.

(3) In the case of a taxpayer other than a resident of this state who is a resident of a state that does not impose a tax on the income of natural persons residing within that state, the deductions allowed in computing net income are restricted to the greater of those directly relating to the production of Montana income or a prorated amount of those allowed under 15-30-121. For the purposes

of this subsection, deductions allowed under 15-30-121 apply only to earned income and must be prorated according to the ratio that the taxpayer's Montana earned income bears to his federal earned income."
Renumber: subsequent subsections

And as amended, be concurred in. Report adopted.

SB 508, third reading copy, be amended as follows:

1. Page 1, line 16.
Following: "Adjusted"
Strike: "gross"

2. Page 1, line 17.
Following: "of"
Strike: "an"
Insert: "a gross"

3. Page 2, line 3.
Following: "~~7~~"
Strike: "2"
Insert: "7"

4. Page 3, line 24.
Following: "state"
Insert: "that was acquired from or passed from the decedent to a qualified heir of the decedent and"

5. Page 5, line 9.
Following: "Qualified"
Strike: "real"
Insert: "replacement"

6. Page 5, line 13.
Following: "devotion"
Insert: "of the property"

7. Page 15, line 12.
Following: "16"
Insert: ", without reduction for the federal estate tax due or paid"

8. Page 16, lines 3 and 4.
Following: "is"
Strike: "included in the gross estate for federal estate tax purposes of"
Insert: "taxable under Title 72, chapter 16, part 3, as a transfer from"

9. Page 16, line 11.
Following: "installments"
Insert: "by each beneficiary"

10. Page 16, line 13.
Following: "business amount"
Insert: "passing to the beneficiary"

11. Page 16, lines 13 and 14.
Following: "to the"
Strike: "amount of the adjusted gross estate"
Insert: "clear market value of all property passing to the beneficiary, without reduction for the federal estate tax due or paid"

12. Page 17, line 2.

Following: "installment."
Insert: "The department may for reasonable cause extend the time for payment of any installment under this section, including any part of an additional tax prorated to any installment, for a reasonable period but not beyond the date that is 12 months after the due date for the last installment."

13. Page 17, lines 6 through 8.
Following: line 5
Strike: subsection 5 in its entirety

14. Page 17, lines 17 and 18.
Following: "is"
Strike: the remainder of line 17 through "purposes" on line 18 (in its entirety)
Insert: "taxable under Title 72, chapter 16, part 3, as a transfer from the decedent"

15. Page 17, lines 23 and 24.
Following: "is"
Strike: the remainder of line 23 through "purposes" on line 24 (in its entirety)
Insert: "taxable under Title 72, chapter 16, part 3, as a transfer from the decedent"

16. Page 19, line 7.
Following: "capital"
Strike: "investment"
Insert: "interest"

17. Page 19, line 9.
Following: "(2)"
Strike: "and (3)"
Insert: "through (5)"

18. Page 19, line 11.
Following: line 10
Strike: "included"
Insert: "taxable under Title 72, chapter 16, part 3,"

19. Page 19, lines 11 and 12.
Following: "of"
Strike: the remainder of line 11 through "purposes" on line 12 (in its entirety)
Insert: "a transfer from the decedent"

20. Page 19, line 24 through line 1 on page 20.
Following: "is"
Strike: remainder of line 24 through "purposes" on line 1 of page 20
Insert: "taxable under Title 72, chapter 16, part 3, as a transfer from the decedent"

21. Page 20, line 8.
Following: "as"
Strike: "having been included"
Insert: "taxable under Title 72, chapter 16, part 3,"

22. Page 20, lines 9 and 10.
Following: "of"
Strike: "the decedent's gross estate for federal estate tax purposes"
Insert: "a transfer from the decedent"

23. Page 25, line 13.
Following: "the"
Strike: "4%"
Insert: "8%"

24. Page 25, line 15.
Following: "of"
Strike: "4%"
Insert: "8%"

25. Page 25, line 19.
Following: "section,"
Strike: "4%"
Insert: "8%"

26. Page 25, line 25.
Following: "the"
Strike: "4%"
Insert: "8%"

27. Page 26, line 3.
Following: "the"
Strike: "4%"
Insert: "8%"

28. Page 26, line 5.
Following: "the"
Strike: "4%"
Insert: "8%"

And as amended, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

FREE JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 475
Report No. 2, April 11, 1979

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 475, met April 11, 1979, and considered:

1. Senate Committee on Judiciary amendments to the third reading copy, dated March 15, 1979.

We recommend that:

1. the Senate recede from Committee amendment numbers 1 and 2 and the House accede to the Committee amendment number 3;

2. House Bill No. 475 be further amended as indicated in CLERICAL INSTRUCTION number 3;

3. the reference (engrossed) copy of House Bill No. 475 read as specified in the CLERICAL INSTRUCTIONS;

4. the Conference Committee Report to House Bill No. 475 be adopted.

CLERICAL INSTRUCTIONS:

1. Title, line 7.
Following: "~~10%~~"
Strike: "8%"

Insert: "10%"

2. Page 1, line 13.
Following: "~~10%~~"
Strike: "8%"
Insert: "10%"

3. Page 1, line 17.
Following: "THAT THE"
Strike: "8%"
Insert: "10%"

FOR THE HOUSE:

KEMMIS
FAGG
VINCENT

FOR THE SENATE:

HAZELBAKER
TOWE
GALT

FREE JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 616
Report No. 1, April 13, 1979

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 616, met April 11, 1979, and considered:

1. Senate Committee on Local Government amendments to the third reading copy, dated March 19, 1979.

We recommend that:

1. the House accede to the Committee amendment numbers 1, 2, 3, 4, 5, 6, and 7;

2. House Bill No. 616 be further amended as indicated in CLERICAL INSTRUCTION numbers 1, 2, 3, 4, and 5;

3. the Conference Committee Report to House Bill No. 616 be adopted.

CLERICAL INSTRUCTIONS:

1. Title, line 7.
Following: "7-5-4306,"
Insert: "7-7-2101,"

2. Page 3, line 3.
Strike: "3"
Insert: "5"

3. Page 5, line 10.
Strike: "3"
Insert: "5"

4. Page 5, line 20.
Strike: "3"
Insert: "5"

5. Page 9.
Following: line 13
Insert: "SECTION 12. SECTION 7-7-2101, MCA, IS AMENDED TO READ:

'7-7-2101. Limitation on amount of county indebtedness or liability. (1) No county may become indebted in any manner or for any purpose to an amount, including existing indebtedness, in the aggregate exceeding 18% of the taxable value of the property therein subject to taxation as ascertained by the last assessment for state and county taxes previous to the incurring of such indebtedness.

(2) ~~No~~ A county may incur indebtedness or liability for any single purpose to an amount not exceeding ~~$40,000~~ $100,000 without the approval of a majority of the electors thereof voting at an election to be provided by law, except as provided in 7-21-3413 and 7-21-3414. Liability for lease obligations may be incurred as follows:

(a) A county may enter into a lease agreement for a term of years in an amount not in excess of $100,000.

(b) A county may enter into a lease agreement, which may be canceled at the end of each annually renewable term if sufficient funds are not appropriated for rental payments for the next fiscal year, provided rental payments are not in excess of $100,000 for a 1-year period.'"

FOR THE HOUSE:

MCBRIDE
MEYER
WALDRON

FOR THE SENATE:

ROSKIE
THOMAS
LOCKREM

FREE JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 877
Report No. 1, April 13, 1979

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 877, met April 13, 1979, and considered:

1. Senate Committee on Judiciary amendments to the third reading copy, dated March 22, 1979;

2. Senate Committee of the Whole amendments to the third reading copy, dated March 26, 1979; and

3. Senate Committee of the Whole amendments to the third reading copy, dated March 27, 1979.

We recommend that:

1. the Senate recede from Committee amendment number 6 and the House accede to Committee amendment numbers 1, 2, 3, 4, 5, 7, 8, 9, and 10;

2. the House accede to Committee of the Whole amendment numbers 1, 2, 3, 4, and 5, dated March 26, 1979;

3. the House accede to Committee of the Whole amendment number 1, dated March 27, 1979;

4. House Bill No. 877 be further amended as indicated in CLERICAL INSTRUCTION numbers 1, 3, 4, and 5;

5. the reference (engrossed) copy of House Bill No. 877 read as specified in the CLERICAL INSTRUCTIONS;

6. the Conference Committee Report to House Bill No. 877 be adopted.

CLERICAL INSTRUCTIONS:

1. Title, line 17.
Following: "~~46-14-212~~,"
Insert: "46-14-212,"

2. Page 5.
Following: line 17
Insert: "SECTION 5. SECTION 46-14-212, MCA, IS AMENDED TO READ:

'46-14-212. Examination by psychiatrist chosen by state or defendant. If either the defendant or the state wishes the defendant to be examined by a qualified psychiatrist or other expert selected by the one proposing the examination in order to determine the defendant's fitness to proceed or whether he had, at the time the offense was committed, a particular state of mind which is an essential element of the offense, the examiner shall be permitted to have reasonable access to the defendant for the purpose of the examination.'"

3. Page 12, line 8.
Following: "him to"
Strike: ":"

4. Page 12, line 9.
Following: line 8
Strike: "(a)"

5. Page 12, line 14.
Following: "(1)"
Strike: "; or"
Insert: "."

6. Page 12, lines 15 through 18.
Strike: subsection (2)(b) in its entirety
Insert: "The authority of the court with regard to sentencing is the same as authorized in Title 46, chapter 18, provided the treatment of the individual and the protection of the public are provided for."

FOR THE HOUSE:

KEEDY
CONROY
STOBIE

FOR THE SENATE:

LENSINK
STIMATZ
O'HARA

MESSAGES FROM THE OTHER HOUSE

The Senate on 4/16/79, requested the return of the following House Bill for further consideration:

House Bill No. 915, introduced by Taxation Committee (Huennekens, Chairman)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House joint resolution was introduced, read first time and referred to committee:

HJR 69, introduced by Waldron, Moore, Nordtvedt, Marks, Curtiss, Bennett, Tropila, Lory, Ellis, Eudaily, Hemstad, Reichert, Holmes, Gould, Hayne, Fagg, Kemmis, Bengtson, Day, Pistoria, H. Robbins, Frates, Dozier, Metcalf, Teague, Rosenthal, Harper. Referred to Committee on Judiciary.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 172 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Shelden, Smith, Spilker, Staigmiller, Teague, Thoft, Vincent, Vinger, Wyrick, Mr. Speaker.
Total 77

Noes: Azzara, Dassinger, Hayne, Huennekens, Johnson, Keedy, Kemmis, Keyser, Sivertsen, Stobie, Underdal, Wood, Yardley.
Total 13

Excused: Roth, Seifert.
Total 2

Absent or not voting: Bardanouve, Eudaily, Scully, South, Tropila, Uhde, Waldron, Williams.
Total 8

Senate Bill No. 181 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Shelden, Sivertsen, Smith, Spilker, Stobie, Thoft, Uhde, Underdal, Vincent, Vinger, Wyrick, Yardley, Mr. Speaker.
Total 80

Noes: Brand, Burnett, Curtiss, Feda, Nathe, Staigmiller, Teague, Wood.
Total 8

Excused: Roth, Seifert.
Total 2

Absent or not voting: Bardanouve, Eudaily, Kemmis, Oberg, Pistoria, Scully, South, Tropila, Waldron, Williams.
Total 10

Conference Committee Report on Senate Amendments to House Bill No. 248 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory,

Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: None.
Total 0

Excused: Roth, Seifert.
Total 2

Absent or not voting: Bardanouve, Bertelsen, Ellis, Eudaily, Scully, South, Tropila, Waldron.
Total 8

MOTIONS

Dussault moved that the rules be temporarily suspended so that all bills passed, amendments concurred in, Conference Committee Reports adopted, and Governor's Amendments adopted on Second Reading this day be placed on Third Reading this day. Motion carried.

Dussault moved that the rules be temporarily suspended so that the staff of the Legislative Fiscal Analyst's office can assist Representative Yardley in the presentation of the long-range building program. Motion carried.

Dussault moved that the House accede to the request of the Senate and return HB 915 for further consideration. Motion carried.

Dussault moved that the five-minute gag rule be lifted on the presentation of HB 417, HB 824 on Second Reading this day. Motion carried.

Shelden moved that the Conference Committee on House Amendments to SB 412 be dissolved and that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on SB 412. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Vincent in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 417, second reading copy, be amended as follows: (72-20)

1. Page 3, line 16.
Following: "FUND"
Strike: "$400,000"
Insert: "$265,000"

2. Page 12, line 15.
Following: "GAME"

Strike: "$400,000"
Insert: "$265,000"

That HB 417, second reading copy, be further amended as follows: (88-0)

1. Page 12, line 15.
Following: "$400,000"
Insert: "from BPICA"

And as amended, do pass. (62-26)

That HB 761 do pass. (90-1)

That HB 824, second reading copy, be amended as follows: (84-3)

1. Page 2, line 10.
Following: "HB"
Strike: "483"
Insert: "417"

That HB 824, second reading copy, be further amended as follows: (43-32)

1. Page 2.
Following: line 3
Insert: "(3) a grant for the Cove Irrigation Company for irrigation system repairs: $40,000 or 5% of all funds expended on the irrigation system repairs, whichever is less;"
Renumber: subsequent subsections

And as amended, do pass. (73-12)

That HB 902, introduced bill, be amended as follows: (78-0)

1. Page 1, line 10.
Strike: "$100,000"
Insert: "$50,000"

And as amended, do pass. (67-24)

That SB 67, third reading copy, be amended as follows: (59-31)

1. Title, line 6.
Following: "~~MCA~~"
Insert: "; AND REPEALING SECTION 15-7-216, MCA"

2. Page 2.
Following: line 3
Insert: "Section 2. Repealer. Section 15-7-216, MCA, is repealed."

And as amended, be not concurred in. Motion failed. (30-65)

That SB 67, as amended, be concurred in. (76-20)

That the Committee rise and report. (Vincent, Chairman). Vincent moved that the Committee of the Whole Report be deemed read. Motion carried. Report adopted. (80-11)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 417 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Johnson, Kanduch, Keedy, Kemmis, Kessler, Kvaalen, Lien, Lory, Lund, McBride, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Yardley.
Total 74

Noes: Brand, Conroy, Donaldson, Ellison, Feda, Hayne, Hurwitz, Johnston, Keyser, Kropp, Pistoria, Sales, Stobie, Thoft, Underdal, Wood, Wyrick, Mr. Speaker.
Total 18

Excused: Roth, Seifert.
Total 2

Absent or not voting: Burnett, Ellerd, Fagg, Jensen, Magone, H. Robbins.
Total 6

House Bill No. 761 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, Smith, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 93

Noes: Brand, Staigmiller, Wood.
Total 3

Excused: Roth, Seifert.
Total 2

Absent or not voting: Fagg, H. Robbins.
Total 2

House Bill No. 824 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, K. Robbins, Sales, Schultz, Scully, Shelden, Sivertsen, South, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 81

Noes: Brand, Burnett, Conroy, Ellerd, Feda, Hayne, Moore, Porter, Rosenthal, Smith, Spilker, Staigmiller, Stobie, Vinger.
Total 14

Excused: Roth, Seifert.
Total 2

Absent or not voting: Fabrega, Fagg, H. Robbins.
Total 3

House Bill No. 902 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hayne, Hemstad, Holmes, Iverson, Jensen, Johnston, Kanduch, Keedy, Keyser, Kvaalen, Lien, Lory, Lund, Magone, Manning, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Scully, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Mr. Speaker.
Total 76

Noes: Bardanouve, Bennett, Bertelsen, Dussault, Feda, Harper, Hirsch, Huennekens, Hurwitz, Johnson, Kemmis, Kessler, Kropp, McBride, Manuel, Oberg, Sales, South, Waldron, Wyrick, Yardley.
Total 21

Excused: Roth, Seifert.
Total 2

Absent or not voting: Fagg.
Total 1

Senate Bill No. 67 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Donaldson, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Gesek, Gilligan, Gould, Hand, Hayne, Hirsch, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Sales, Schultz, Scully, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Wyrick, Yardley, Mr. Speaker.
Total 75

Noes: Bardanouve, Dassinger, Day, Dozier, Frates, Harper, Harrington, Hemstad, Holmes, Huennekens, Kessler, Meyer, Moore, Nordtvedt, Porter, Rosenthal, Shelden, Smith, Underdal, Williams, Wood.
Total 21

Excused: Roth, Seifert.
Total 2

Absent or not voting: Azzara, Fagg.
Total 2

REPORTS OF SELECT COMMITTEES

FREE JOINT CONFERENCE COMMITTEE ON HOUSE BILL NO. 461

Report No. 1, April 16, 1979

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 461, met April 13, 1979, and considered:

1. Senate Committee on Judiciary amendments to the third reading copy, dated March 30, 1979.

We recommend that:

1. the House accede to the Committee amendment numbers 1 through 17;

2. House Bill No. 461 be further amended as indicated in CLERICAL INSTRUCTION numbers 1 and 2;

3. the Conference Committee Report to House Bill No. 461 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 10, lines 10 through 14.
Strike: section 4 in its entirety
Renumber: subsequent sections

2. Title, line 9.
Strike: "SETTING VENUE FOR ALL PROSECUTIONS;"

FOR THE HOUSE:

SCULLY
BERTELSEN
HARRINGTON

FOR THE SENATE:

TURNAGE
TOWE
O'HARA

FREE JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 851
Report No. 1, April 16, 1979

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House No. 851, met April 13, 1979, and considered:

1. Senate Committee on Local Government amendments to the third reading copy, dated March 22, 1979.

We recommend that:

1. the House accede to the Committee amendment numbers 1 through 30;

2. House Bill No. 851 be further amended as indicated in CLERICAL INSTRUCTION number 1;

3. the Conference Committee Report to House Bill No. 851 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 4, line 23.
Following: "MERGER"
Strike: "ADOPTED BY THE GOVERNING BODY"
Insert: "circulated"

FOR THE HOUSE:

REICHERT
WALDRON

FOR THE SENATE:

LOCKREM
WATT

SPILKER O'HARA

FREE CONFERENCE COMMITTEE
ON SENATE BILL NO. 170
Report No. 2, April 17, 1979

Mr. President and Speaker of the House:

We, your Free Conference Committee on Senate Bill No. 170, met on April 17, 1979, and considered:

1. House Committee of the Whole amendments, dated March 5, 1979, third reading copy; and

2. House Committee of the Whole amendments, dated March 7, 1979, third reading copy.

We recommend that:

1. the Senate accede to Committee of the Whole amendments, dated March 5, 1979, numbers 1 and 2;

2. the House recede from Committee of the Whole amendments, dated March 7, 1979, numbers 1 and 3, and the Senate accede to Committee of the Whole amendment number 2;

3. the reference copy of Senate Bill No. 170 read as specified in the CLERICAL INSTRUCTIONS;

4. the Free Conference Committee Report to Senate Bill No. 170 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 2, lines 7 through 9.
Following: "~~13-38-103.~~"
Strike: remainder of lines 7 through 9 in their entirety
Insert: "This section does not apply to the list of potential new voters or labor organizations pursuant to the collective bargaining act provided for in 13-2-115 and 13-38-103."

2. Page 2, lines 18 through 20.
Following: "~~REGISTRATION.~~"
Strike: remainder of lines 18 through 20 in their entirety
Insert: "This section does not apply to the right of access either by Montana law enforcement agencies or, by purchase or otherwise, of public records dealing with motor vehicle registration."

FOR THE HOUSE: FOR THE SENATE:

DASSINGER RASMUSSEN
OBERG TOWE
ELLERD HAGER

FREE CONFERENCE COMMITTEE
ON SENATE BILL NO. 221
Report No. 1, April 17, 1979

Mr. President and Speaker of the House:

We, your Free Conference Committee on Senate Bill No. 221, met on April 17, 1979, and considered:

1. House Judiciary Committee amendments, dated March 23, 1979, third reading copy.

We recommend that:

1. the Senate accede to the Standing Committee amendment numbers 1 through 44 and Standing Committee amendment to the Statement of Intent number 1;

2. Senate Bill No. 221 be further amended as indicated in the CLERICAL INSTRUCTIONS;

3. the reference copy of Senate Bill No. 221 read as specified in the CLERICAL INSTRUCTIONS;

4. the Free Conference Committee Report to Senate Bill No. 221 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 7, line 3.
Following: "court"
Insert: "orders"

FOR THE HOUSE:

SCULLY
KEMMIS
LORY

FOR THE SENATE:

TURNAGE
S. BROWN
O'HARA

MESSAGES FROM THE OTHER HOUSE

Senate Joint Resolutions passed and transmitted to the House for concurrence: 4/17/79

Senate Joint Resolution No. 11, introduced by Blaylock, McCallum, Regan, S. Brown

Senate Joint Resolution No. 38, introduced by McCallum

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House resolution was introduced, read first time and referred to committee:

HR 6, introduced by Metcalf, Quilici, Lory, Magone, Meyer. Referred to Committee on Legislative Administration.

The following Senate joint resolution was introduced, read first time and referred to committee:

SJR 38, introduced by McCallum. Referred to Committee on Local Government.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 4/17/79

Correctly enrolled - HB 282, HB 299, HB 410, HB 418, HB 427, HB 534, HB 594, HB 647, HB 669, HB 678, HB 830, HB 842, HB 845, HB 868, HB 890, HB 895, HB 910, HB 923, HJR 42, HJR 44, HJR 59, HJR 62.

Examined by the Sponsor and found to be correct - HB 62, HB 282, HB 299, HB 410, HB 418, HB 427, HB 534, HB 594, HB 647, HB 669, HB 678, HB 830, HB 842, HB 845, HB 868, HB 890, HB 895, HB 910, HB 923, HJR 42, HJR 44, HJR 59.

Will be signed by the Speaker on adjournment, 4/17/79 - HB 282, HB 299, HB 410, HB 418, HB 427, HB 534, HB 594, HB 647,

HB 669, HB 678, HB 830, HB 842, HB 845, HB 868, HB 890, HB 895, HB 910, HB 923, HJR 42, HJR 44, HJR 59, HJR 62, SB 2, SB 50, SB 164, SB 177, SB 234, SB 235, SB 284, SB 325, SB 370, SB 448, SB 492, SB 497, SJR 30.

Do Pass

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Metcalf, Chairman): 4/17/79

HR 6, be adopted.

Adverse Committee Reports

Scully moved that the motion to adopt the Adverse Committee Report on HB 888 be tabled. After considerable discussion, he withdrew his motion and moved that consideration of adoption of the report be passed for the day. Motion carried.

MOTIONS

Dussault moved that HB 888, HB 893, HB 904 be referred from the Adverse Committee Reports to the Committee on Appropriations. Motion carried.

UNFINISHED BUSINESS

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on SB 412:

Shelden, Chairman
O'Connell
Curtiss

MOTIONS

Marks moved that the House override the Governor's veto of SB 128. After considerable discussion, the motion failed, lacking a two-thirds majority vote. (49-45)

Ellerd moved that he be recorded as voting aye on HB 417. Motion carried unanimously.

Pavlovich moved that the Conference Committee on the Senate Amendments to HB 297 be dissolved and that the amendments be placed on Second Reading on the Eighty-eighth Legislative Day. Discussion followed. Smith moved the previous question. Motion carried. Whereupon, Pavlovich's motion carried.

REPORTS OF SELECT COMMITTEES

FREE JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 883
Report No. 1, April 17, 1979

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 883, met April 9, 10, 11, 12, and 17, 1979, and considered:

1. Senate Committee on Natural Resources amendments to the third reading copy, dated March 22, 1979; and

2. Senate Committee of the Whole amendments to the third reading copy, dated March 24, 1979.

We recommend that:

1. the Senate recede from Committee amendment numbers 43, 44, and 53, as indicated in CLERICAL INSTRUCTION numbers 40, 41, and 48; and the House accede to the Committee amendment numbers 1 through 42, 45 through 52, and 54;

2. the House accede to Committee of the Whole amendment number 1;

3. House Bill No. 883 be further amended as indicated in CLERICAL INSTRUCTION numbers 1 through 39, 42 through 47, and 49;

4. the reference (engrossed) copy of House Bill No. 883 read as specified in the CLERICAL INSTRUCTIONS;

5. the attached Statement of Intent adopted by the Free Joint Conference Committee in light of the amendment indicated in CLERICAL INSTRUCTION number 23 be adopted;

6. the Conference Committee Report to House Bill No. 883 be adopted.

CLERICAL INSTRUCTIONS:

1. Title, line 7.
Following: "75-20-216,"
Strike: "75-20-218, 75-20-220"
Insert: "75-20-217"

2. Page 10, line 8 through line 15, page 11.
Strike: subsections (1) through (3) in their entirety
Insert: "(1) An application for an amendment of an application or a certificate shall be in such form and contain such information as the board by rule or the department by order prescribes. Notice of such an application shall be given as set forth in (3), (4), and (5) of 75-20-211.

(2) An application may be amended by an applicant any time prior to the department's recommendation. If the proposed amendment is such that it prevents the department, the department of health, or the agencies listed in 75-20-216(5) from carrying out their duties and responsibilities under this chapter, the department may require such additional filing fees as the department determines necessary, or the department may require a new application and filing fee.

(3) The applicant shall submit supplemental material in a timely manner as requested by the department or as offered by the applicant to explain, support, or provide the detail with respect to an item described in the original application, without filing an application for an amendment. The department's determination as to whether information is supplemental or whether an application for amendment is required shall be conclusive."

3. Page 11, line 20.
Following: "~~75-20-104(7)~~"
Strike: "75-20-104(8)"
Insert: "75-20-104(10)"

4. Page 12, line 24.
Following: "(B)"
Strike: "A POTENTIAL APPLICANT MAY RECEIVE"
Insert: "The department may allow in its discretion a"

5. Page 13, line 7.
Following: line 6

Strike: "THEN"

6. Page 13, lines 24 and 25.
Following: "~~chapter.~~"
Strike: "THE APPLICANT MAY ENTER INTO A CONTRACT WITH THE DEPARTMENT"
Insert: "The department may contract with an applicant"

7. Page 14, lines 1 and 2.
Following: "FEES" on line 1
Strike: "AND COSTS"

8. Page 14, lines 3 and 4.
Following: "75-20-106."
Strike: "THE AMOUNT PAID UNDER ANY"
Insert: "Payments made to the department under such a"

9. Page 14, line 6.
Following: line 5
Strike: "SUBSECTIONS (2)(B) AND (2)(D)"
Insert: "this section"

10. Page 14, line 9.
Following: "IN"
Strike: "75-20-216(4)"
Insert: "75-20-216(5)"

11. Page 14, lines 10 and 11.
Following: "DEPARTMENT" on line 10
Strike: "WILL RETAIN THE AUTHORITY TO"
Insert: "may"

12. Page 14, lines 11 and 12.
Following: "CONTRACT" on line 11
Strike: ", UPON GOOD CAUSE SHOWN,"

13. Page 14, line 13.
Following: "IN"
Strike: "SUBSECTIONS"
Insert: "subsection"
Following: "(1)(A)"
Strike: "AND (1)(B)"

14. Page 14, line 14.
Following: "NOTICE"
Strike: ":"
Insert: "to the applicant. The department and applicant may enter into a contract which exceeds the scale provided in subsection (1)(a)."

15. Page 14, line 15.
Following: "entered"
Insert: "into,"

16. Page 14, line 16.
Following: "~~to~~"
Strike: "MUST"
Insert: "shall"

17. Page 16, line 2.
Strike: "30"
Insert: "90"

18. Page 17, line 9.
Following: "MONTHS,"
Strike: "SHALL"

19. Page 17, lines 12 and 13.
Following: "SHALL" on line 12
Strike: "CONSIDER AIR AND WATER QUALITY IMPACTS AND"

Insert: "determine"

20. Page 17, line 21.
Following: "AND"
Strike: "FOR THE PURPOSES OF THIS CHAPTER AS"
Insert: "any of the criteria"

21. Page 17, line 22.
Following: "(4)"
Strike: "WHERE APPLICABLE;"
Insert: "that are a part of the determinations made under federal and state air and water quality statutes. Although the decision, opinion, order, certification, or permit issued under this subsection is conclusive, the board retains authority to make the determination required under 75-20-301 (2)(c)."

22. Page 18, lines 3 through 5.
Following: "PERMIT" on line 3
Strike: remainder of line 3 through "OF HEALTH" on line 5

23. Page 18, line 7.
Following: "PROCESS."
Insert: "Prior to the issuance of a preliminary decision by the department of health and pursuant to rules adopted by the board of health the department of health shall provide an opportunity for public review and comment."

24. Page 18, line 12.
Following: "~~years~~"
Strike: "18"
Insert: "22"

25. Page 18, line 14.
Strike: "75-20-104(8)"
Insert: "75-20-104(10)"

26. Page 18, line 15.
Strike: "75-20-104(8)"
Insert: "75-20-104(10)"

27. Page 18, line 18.
Strike: "75-20-104(8)"
Insert: "75-20-104(10)"

28. Page 19.
Following: line 14
Insert: "SECTION 9. SECTION 75-20-217, MCA, IS AMENDED TO READ:

'75-20-217. Voiding an application. An application may be voided by the department for:

(1) any material and knowingly false statement in the application or in accompanying statements or studies required of the applicant;

(2) failure to file an application in substantially the form and content required by this chapter and the rules adopted thereunder; or

(3) failure to deposit the filing fee ~~with the application~~ as ~~required by~~ provided in 75-20-215.'"
Renumber: subsequent sections

29. Page 19, line 22.
Strike: "75-20-104(8)"
Insert: "75-20-104(10)"

30. Page 20, line 2.
Following: "~~the~~"
Strike: "THE"
Insert: "Except as provided in 75-20-221(2), the"

31. Page 21.
Following: line 19
Insert: "SECTION 10. SECTION 75-20-219, MCA, IS AMENDED TO READ:

'75-20-219. ~~Hearing on amendment of application.~~ Amendments to a certificate. ~~On an application for an amendment of a certificate, the board shall hold a hearing in the same manner as a hearing is held on an application for a certificate if the proposed change in the facility would result in any material increase in any environmental impact of the facility or a substantial change in the location of all or a portion of the facility other than as provided in the alternates set forth in the application.~~ (1) Within 30 days after notice of an amendment to a certificate is given as set forth in 75-20-213(1) including notice to all active parties to the original proceeding, the department shall determine whether the proposed change in the facility would result in any material increase in any environmental impact of the facility or a substantial change in the location of all or a portion of the facility other than as provided in the alternates set forth in the original application. If the department determines that the proposed change would result in any material increase in any environmental impact of the facility or a substantial change in the location of all or a portion of the facility, the board shall hold a hearing in the same manner as a hearing is held on an application for a certificate. After hearing, the board shall grant, deny, or modify the amendment with such conditions as it deems appropriate.

(2) In those cases where the department determines that the proposed change in the facility would not result in any material increase in any environmental impact or would not be a substantial change in the location of all or a portion of the facility, the board shall automatically grant the amendment either as applied for or upon such terms or conditions as the board considers appropriate unless the department's determination is appealed to the board within 15 days after notice of the department's determination is given.

(3) If a hearing is required, the applicant has the burden of showing by clear and convincing evidence that the amendment should be granted.

(4) If an amendment is required to a certificate which would affect, amend, alter or modify a decision, opinion, order, certification, or permit issued by the department of health or board of

health, such amendment must be processed under the applicable statutes administered by the department of health or board of health.'"
Renumber: subsequent sections

32. Page 22, line 7.
Following: "~~required~~"
Strike: "CONJUNCTIVE HEARING IS HELD"
Insert: "hearing is held before the board of health"

33. Page 22, line 9.
Following: "examiner"
Insert: "to preside at both hearings"

34. Page 23, lines 14 through 20.
Following: line 13
Strike: subsection (8) in its entirety
Renumber: subsequent subsections

35. Page 24, lines 4 through 7.
Following: "~~adopt~~"
Strike: subsection (9) in its entirety
Renumber: subsequent subsections

36. Page 25, lines 11 through 13.
Following: "THROUGH" on line 11
Strike: "(10)"
Insert: "(8)"
Following: "FOR" on line 11
Strike: lines 12 and 13 in their entirety
Insert: "a facility when the department has recommended approval of a facility and no objections have been filed."

37. Page 25, line 16.
Following: "to"
Strike: "certification proceeding"
Insert: "proceedings"

38. Page 25, line 18.
Following: "proceeding"
Insert: "or to a proceeding involving the issuance of a decision, opinion, order, certification, or permit by the board of health under this chapter"

39. Page 25, line 21.
Following: "agency"
Insert: ", including the department of health,"

40. Page 26, lines 1 and 2.
Following: "organization" on line 1
Strike: "INTERESTED IN AND AFFECTED BY THE APPLICATION AND WHICH IS"

41. Page 26, line 10.
Following: "~~proceeding~~"
Strike: "AFFECTED BY THE APPLICATION"
Insert: "who establishes an interest in the proceeding"

42. Page 26.
Following: line 12
Insert: "(2) The department shall be an active party in any certification proceeding in which the department recommends denial of all or a portion of a facility."

Renumber: subsequent subsections

43. Page 26, line 20.
Following: "board"
Insert: "or the board of health"

44. Page 27.
Following: line 23
Insert: "(4) All proceedings under this chapter are governed by the procedures set forth in this chapter, the procedural rules adopted by the board, and the Montana Rules of Evidence unless one or more rules of evidence are waived by the hearing examiner upon a showing of good cause by one or more of the parties to the hearing. No other rules of procedure or evidence shall apply except that the contested case procedures of the Montana Administrative Procedure Act shall apply if not in conflict with the procedures set forth in this chapter or the procedural rules adopted by the board."

45. Page 29, line 24.
Following: "BY"
Strike: "75-20-216(4)"
Insert: "75-20-216(3)"

46. Page 33, line 20.
Following: "funds"
Insert: "available for the facility, as determined by the department of health,"

47. Page 34, line 14.
Following: "under"
Strike: "75-20-304(3)"
Insert: "75-20-304(2)"

48. Page 45, line 23.
Following: "~~may~~"
Strike: "MUST"
Insert: "may"

49. Page 46.
Following: line 5
Insert: "Section 26. Waiver of baseline data requirement if existing contract. The department may in its discretion waive the requirement that baseline data for the primary and reasonable alternate locations be submitted with an application under 75-20-211(1)(a)(v) in those cases in which the applicant has, prior to July 1, 1979, entered into a contract with the department to compile baseline information."
Renumber: subsequent sections

STATEMENT OF INTENT RE: House Bill No. 883

A Statement of Intent on House Bill 883 is necessary because the Board of Health and Environmental Sciences has been granted rulemaking authority in section 75-20-216 to adopt public participation rules providing the public an opportunity to review and comment on the preliminary decision of the Department of Health on air and water quality. This rulemaking requirement will assure the public an opportunity to review the preliminary air and water quality decision of the Department of Health without having to appeal the Department's decision to the Board of Health and participate in a contested case hearing. This provision is

consistent with the public participation provisions of the Montana Constitution and state law. This requirement is being substituted for the requirements under MEPA in order to avoid requiring both the Departments of Health and Natural Resources to prepare an environmental impact statement under MEPA.

It is intended that the public participation rule adopted under section 75-20-216 will parallel the review and comment procedures used by the Department of Health to implement the MPDES requirements of the Montana Water Pollution Control Act.

FOR THE HOUSE:	FOR THE SENATE:
BARDANOUVE	ROSKIE
SCULLY	S. BROWN
BERTELSEN	LOWE

Dussault moved that the House adjourn until 11:30 a.m., April 18, 1979.

Motion carried.

House adjourned at 6:19 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

EIGHTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
April 18, 1979

House Chambers
Capitol Building

House convened at 11:29 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Bertelsen, Fagg, Kemmis, Meyer, Nathe, Shelden, excused; Bengtson, Gesek, Hand, Kvaalen, Menahan, Moore, Sales, Waldron, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Eighty-fifth Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 4/18/79
Correctly printed - HR 6.

Signed by the Speaker on adjournment, 4/17/79 - HB 410, HB 594, HB 647, HB 842, HB 868, HB 890, HB 923, HJR 44, HJR 62, SB 2, SB 50, SB 164, SB 177, SB 234, SB 235, SB 284, SB 325, SB 370, SB 448, SB 492, SB 497, SJR 30.

Do Pass

JUDICIARY (Scully, Chairman): 4/18/79
HJR 69, do pass. Report adopted.

MESSAGES FROM THE GOVERNOR

4/17/79

The Honorable Harold Gerke
Speaker, House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that I have signed the following measure this date:

House Bill No. 708.

Sincerely,

Thomas L. Judge
Governor

MESSAGES FROM THE OTHER HOUSE

The Senate on 4/17/79, refused to consider the Free Conference Committee Report on House Bill No. 616 because it contravenes Joint Rule 6-8. The Senate appointed a New Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 616.

The President appointed the following members:

Senator Roskie, Chairman
Senator Lockrem
Senator Thomas

Conference Committee Reports adopted: 4/17/79

Joint Conference Committee Report No. 1 on House Bill No. 248

Free Conference Committee Report No. 2 on Senate Bill No. 217

Free Conference Committee Report No. 1 on House Bill No. 877

The Senate on 4/17/79, acceded to the request of the House of Representatives and appointed a Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 297.

The President appointed the following members:

Senator Turnage, Chairman
Senator Watt
Senator McCallum

The Senate on 4/17/79, dissolved the Conference Committee on Senate Bill No. 412 and appointed a Free Conference Committee. The Senate requested that the House of Representatives appoint a like committee to confer on Senate Bill No. 412.

The President appointed the following members:

Senator McCallum, Chairman
Senator Watt
Senator Story

The Senate on 4/17/79, acceded to the request of the House of Representatives and appointed a Free Conference Committee to meet with a like committee from the House to confer on House Joint Resolution No. 51.

The President appointed the following members:

Senator Kolstad, Chairman
Senator Dover
Senator Manley

The Senate on 4/17/79, acceded to the request of the House of Representatives and appointed a Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 916.

The President appointed the following members:

Senator Goodover, Chairman
Senator Severson
Senator Towe

Governor's Amendments to House Bill concurred in and returned to the House: 4/17/79

House Bill No. 436, introduced by Ramirez, Sivertsen, Marks, Conroy, et al

House Bill indefinitely postponed and returned to the House: 4/17/79

House Bill No. 849, introduced by Johnson, Fasbender

Governor's Amendments to Senate Bills adopted and transmitted to the House for concurrence in Governor's Amendments: 4/17/79

Senate Bill No. 489, introduced by Rasmussen

Senate Bill No. 504, introduced by Watt, Ellis, Palmer

House Bills concurred in and returned to the House: 4/17/79

House Bill No. 550, introduced by Scully, Dussault, Fagg, et al

House Bill No. 754, introduced by Metcalf, Thomas, Kolstad, Hayne

House Bill No. 908, introduced by Quilici, Yardley, Feda, Daily, et al

Governor's Amendments to House Bills adopted and returned to the House: 4/17/79

House Bill No. 12, introduced by request of the Interim Subcommittee on State Legal Services and Election Laws

House Bill No. 366, introduced by Kessler, Fagg, Azzara, et al

Conference Committee Reports adopted: 4/17/79

Free Conference Committee Report No. 1 on Senate Bill No. 78

Free Conference Committee Report No. 2 on Senate Bill No. 106

Conference Committee Report No. 1 on House Bill No. 365

Free Conference Committee Report No. 1 on House Bill No. 759

Free Conference Committee Report No. 2 on House Bill No. 768

House Joint Resolution concurred in as amended and returned to the House for concurrence in Senate Amendments: 4/17/79

House Joint Resolution No. 58, introduced by Dussault, Scully, Quilici, Gerke, et al

House Bills concurred in as amended and returned to the House for concurrence in Senate Amendments: 4/17/79

House Bill No. 9, introduced by Lory, Van Valkenburg, Eudaily, Scully, Gould, et al

House Bill No. 537, introduced by Williams, E. Smith, Schultz, Anderson, et al

House Bill No. 568, introduced by Scully

House Bill No. 896, introduced by Burnett

House Bills and House Joint Resolution concurred in and returned to the House: 4/17/79

House Bill No. 303, introduced by Nordtvedt, Roskie, Fabrega, Uhde, et al

House Bill No. 386, introduced by Quilici, Menahan, Dussault, Fagg, et al

House Bill No. 507, introduced by Porter, Scully, Gerke

House Bill No. 508, introduced by Porter, Scully, Gerke

House Bill No. 919, introduced by Taxation Committee (Huennekens, Chairman)

House Joint Resolution No. 39, introduced by Brand, McBride, Baeth, Oberg, Hirsch, Dozier, et al

House Amendments to Senate Bill concurred in: 4/17/79

House Amendments to Senate Bill No. 351, introduced by Turnage

MOTIONS

Dussault moved that the rules be temporarily suspended so that all bills passed, amendments concurred in, Conference Committee Reports adopted, and Governor's Amendments adopted on Second Reading this day be placed on Third Reading this day. Motion carried.

Vincent moved that the House members of the Environmental Quality Council and the Committee on Appropriations be excused because they are on official legislative business. Motion carried.

Scully moved that the Conference Committee on Senate Amendments to HB 879 be dissolved and that the Speaker be authorized to appoint a New Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to HB 879. Motion carried.

Dussault moved that consideration of SB 99 be placed below SB 523 on Second Reading this day. Motion carried.

Dussault moved that the rules be temporarily suspended to allow for the introduction of a House Resolution, and that it be placed on Second Reading this day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House resolution was introduced by rule suspension:

HR 5, introduced by Reichert.

The following Senate joint resolution was introduced, read first time and referred to committee:

SJR 11, introduced by Blaylock, McCallum, Regan, S. Brown. Referred to Long-Range Building Committee.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Vincent in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Appropriations Committee present at this time.

Shelden, Bertelsen, Kemmis, Nathe present at this time.

That SB 162 be concurred in. (53-43) Constitutional Amendment.

Tropila replaced Vincent in the Chair.

That SB 182, third reading copy, be amended as follows: (65-11)

1. Page 2, line 9.
Following: "year"
Insert: ", by reason of increased production and not because of increase in or elimination of federal price ceilings on oil and gas,"

And as amended, be concurred in. (79-13)

That SB 248, third reading copy, be amended as follows: (65-19)

1. Page 21, line 24.
Strike: "$100,000"
Insert: "$200,000"

And as amended, be concurred in. Motion failed. (35-63)

That SB 248, as amended, be not concurred in. (63-33)

That House Committee on Taxation Amendments to Senate Bill No. 358, third reading copy, be amended as follows: (78-5)

1. Strike: amendment no. 1 in its entirety

And as amended, be concurred in. (71-14)

That SB 401 be concurred in. (55-20)

That SB 463 be concurred in. (72-11)

That House Committee on Taxation Amendments to Senate Bill No. 523, third reading copy, dated April 13, 1979, be amended as follows: (72-13)

1. Amendment No. 3.
Strike: amendment no. 3 in its entirety
Insert: "3. Page 3.
Following: line 15
Insert: 'Section 4. Coordination with House Bill 213. If House Bill 213, introduced in the 46th Legislature, is passed and signed by the governor:

(a) section 1 of this act is replaced with the following section (section 5 of House Bill 213 with the indicated change):

"Section 1. Class five property — description — taxable percentage. (1) Class five property includes:

(a) all property used and owned by cooperative rural electrical and cooperative rural telephone associations organized under the laws of Montana, except property owned by cooperative organizations described in subsection (1)(c) of [section 7 of House Bill 213];

(b) air and water pollution control equipment as defined in this section;

(c) truck campers, motor homes, and camping and travel trailers, including fifth-wheel trailers, owned by and actually used primarily by a person 60 years of age or older who:

(i) is retired from full employment; and

(ii) whose total income from all sources is not more than $7,000 for a single person or $8,000 for a married couple;

(d) new industrial property as defined in this section;

(e) any personal or real property used primarily in the production of gasohol during construction and for the first 3 years of its operation.

(2) 'Air and water pollution equipment' means facilities, machinery, or equipment used to reduce or control water or atmospheric

pollution or contamination by removing, reducing, altering, disposing, or storing pollutants, contaminants, wastes, or heat. The department of health and environmental sciences shall determine if such utilization is being made.

(3) 'New industrial property' means any new industrial plant, including land, buildings, machinery, and fixtures, used by new industries during the first 3 years of their operation. The property may not have been assessed within the state of Montana prior to July 1, 1961.

(4) (a) 'New industry' means any person, corporation, firm, partnership, association, or other group that establishes a new plant in Montana for the operation of a new industrial endeavor, as distinguished from a mere expansion, reorganization, or merger of an existing industry.

(b) New industry includes only those industries that:

(i) manufacture, mill, mine, produce, process, or fabricate materials;

(ii) do similar work, employing capital and labor, in which materials unserviceable in their natural state are extracted, processed, or made fit for use or are substantially altered or treated so as to create commercial products or materials; or

(iii) engage in the mechanical or chemical transformation of materials or substances into new products in the manner defined as manufacturing in the 1972 Standard Industrial Classification Manual prepared by the United States office of management and budget.

(5) New industrial property does not include:

(a) property used by retail or wholesale merchants, commercial services of any type, agriculture, trades, or professions;

(b) a plant that will create adverse impact on existing state, county, or municipal services; or

(c) property used or employed in any industrial plant that has been in operation in this state for 3 years or longer.

(6) Class five property is taxed at 3% of its market value."

(b) section 2 of this act is stricken.'"

That SB 523, third reading copy, be further amended as follows:

1. Page 1, line 18.
Following: line 17
Strike: "2%"
Insert: "3%"

And as amended, be concurred in. (80-4)

Vincent back in the Chair.

That House Committee on Taxation Amendments to Senate Bill No. 99, third reading copy, dated April 16, 1979, be amended as follows: (53-36)

1. Amendment No. 1.
Strike: amendment no. 1

2. Amendment No. 8.
Strike: amendment no. 8

That House Committee on Taxation Amendments to Senate Bill No. 99, Statement of Intent, second reading copy, dated April 16, 1979, be further amended as follows:

1. Amendments 1 and 2.
Strike: amendments 1 and 2

That Senate Bill No. 99, third reading copy, be further amended as follows:

1. Title, line 10.
Following: "2,"
Insert: "4,"

2. Page 1, line 24.
Following: "the"
Insert: "importation and"

3. Page 2, lines 3 through 5.
Following: "volume"
Strike: the remainder of line 3 through "state" on line 5
Insert: "by licensed wine distributors and the state"

4. Page 5.
Following: line 16
Insert: "Section 3. Section 4 of Initiative No. 81 is amended to read:

'Section 4. There is a new section in Title ~~4, RCM 1947~~ 16, MCA, that reads as follows:

Wine distributor's license — records. (1) Any person desiring to sell and distribute table wine at wholesale to retailers under the provisions of this code shall apply to the department of revenue for a license to do so and shall tender with his application the annual license fee of $400 and the department may issue licenses to qualified applicants in accordance with the provisions of this code. All table wine distributors' licenses issued in any year shall expire on the 30th day of June at midnight of such year. No license fee may be imposed upon table wine distributors by a municipality or any other political subdivision of the state. The license shall be at all times prominently displayed in the place of business of such table wine distributor.

To qualify for a table wine distributor's license the applicant shall be a resident of Montana; provided, however, any individual or partnership which has been licensed as a table wine distributor may, upon incorporation in accordance with the laws of Montana, transfer such license to the corporation if a majority of the capital stock thereof is held by said individual or the members of said partnership; or if applicant is a foreign corporation said corporation shall be authorized to do business in Montana; and said applicant shall have a fixed place of business, sufficient capital, the facilities, storehouse, receiving house or warehouse for the receiving of, storage, handling, and moving of table wine in large and jobbing quantities for distribution and sale in original packages to other licensed table wine distributors or licensed retailers. Each table wine distributor shall be entitled to only one (1) wholesale table wine license, which license shall be issued for his principal place of business in

Montana; a duplicate license may be issued for one (1) subwarehouse only in Montana for each table wine distributor's license, which said duplicate license shall at all times be prominently displayed at said subwarehouse. A table wine distributor may also hold a license to sell beer at wholesale but shall not hold or have any interest, direct or indirect, in any license to sell beer, wine, or liquor at retail.

~~All~~ With the exception of table wine purchased by the department and shipped to its warehouse, all table wine manufactured outside of the state of Montana and shipped into Montana shall be consigned to and shipped to a licensed table wine distributor, and by him unloaded into his warehouse in Montana or subwarehouse in Montana; said distributor shall distribute said table wine from such warehouse or subwarehouse; said distributor shall keep records at his principal place of business of all table wine including the name or kind received, on hand, sold and distributed; said records may at all times be inspected by any member or representative of the department of revenue; any table wine which has been shipped into Montana and has not been shipped to and distributed from a warehouse of a licensed table wine distributor or the department shall be seized by any peace officer or representative of the department and may be confiscated in the manner as provided for the confiscation of intoxicating liquor.'"

Renumber: subsequent sections

5. Page 6, line 13.
Following: "Wine."
Insert: "(1)"

6. Page 6, line 15.
Following: "distributor"
Strike: ", and such tax"
Insert: "or the department. (2) The tax on table wine imported by a table wine distributor"

7. Page 6, line 18.
Following: "warehouse."
Insert: "(3) The tax on table wine imported by the department shall be collected at the time of sale, be retained in a separate account, and be deposited with the state treasurer to the credit of the general fund not later than the 10th day of the month following the sale. (4)"

8. Page 6, line 21.
Following: "towns"
Strike: ", and it"
Insert: ". (5) The tax paid by a table wine distributor"

9. Page 7.
Following: line 3
Insert: "SECTION 6. THERE IS A NEW MCA SECTION THAT READS AS FOLLOWS:

Retail selling price on table wine sold by the state. The retail selling price at which table wine is sold by the department shall be computed by adding to the cost of table wine the state markup and state tax as designated by the department."

10. Page 7, line 9.
Following: "liquors"

Insert: "and table wine"

11. Page 7, lines 10 through 12.
Strike: subsection 2 in its entirety
Renumber: subsequent subsections

And as amended, be concurred in. (83-6)

That SA to HB 273 be concurred in. (76-2)

That SA to HB 547 be not concurred in. (77-1)

That SA to HB 692 be not concurred in. (72-1)

Moore moved that SA to HB 760 pass consideration for the day. Motion carried.

That SA to HB 770 be concurred in. (71-3)

That SA to HB 894 be concurred in. (70-3)

That SA to HB 913 be concurred in. (80-0)

Dussault moved that SA to HB 921 be placed below SA to HJR 61 on the Second Reading board. Motion carried.

That SA to HJR 61 be concurred in. (75-1)

Bardanouve moved that SA to HB 921 be placed at the bottom of the Second Reading board this day. Motion carried.

That the Committee rise and report and beg leave to sit again. (Vincent, Chairman). Vincent moved that the committee report be deemed read. Motion carried. Report adopted. (77-5)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Dussault moved that SB 162 be placed below SA to HJR 61. Motion carried.

Senate Bill No. 182 was concurred in by the following vote:

Ayes: Azzara, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Manning, Marks, Menahan, Metcalf, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 83

Noes: Anderson, Bardanouve, Brand, Keyser, Manuel, Porter, Spilker, Staigmiller, Thoft, Yardley.
Total 10

Excused: Fagg, Meyer.
Total 2

Absent or not voting: Harrington, Johnston, Kessler, Magone, Nordtvedt.

Total 5

Senate Bill No. 358 was concurred in by the following vote:

Ayes: Azzara, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Kanduch, Keedy, Kemmis, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Manning, Manuel, Marks, Menahan, Metcalf, Nathe, Oberg, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 75

Noes: Anderson, Bardanouve, Brand, Day, Hemstad, Jensen, Keyser, Moore, O'Connell, Pistoria, K. Robbins, Seifert, Smith, Stobie, Thoft.
Total 15

Excused: Fagg, Meyer.
Total 2

Absent or not voting: Dussault, Ellerd, Ellis, Harrington, Johnston, Kessler, Magone, Nordtvedt.
Total 8

Senate Bill No. 401 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ernst, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hemstad, Hirsch, Holmes, Huennekens, Jensen, Johnson, Kanduch, Keedy, Kemmis, Kropp, Kvaalen, Lien, Lund, McBride, Manning, Manuel, Menahan, Metcalf, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Yardley, Mr. Speaker.
Total 73

Noes: Brand, Ellison, Eudaily, Hayne, Hurwitz, Iverson, Keyser, Lory, Marks, Moore, K. Robbins, Roth, Seifert, Smith, Staigmiller, Stobie, Thoft, Wood, Wyrick.
Total 19

Excused: Fagg, Meyer.
Total 2

Absent or not voting: Ellis, Harrington, Johnston, Kessler, Magone, Nordtvedt.
Total 6

Senate Bill No. 463 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Manning, Manuel, Marks, Menahan, Metcalf, Nathe, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, Rosenthal, Roth, Schultz, Scully, Shelden,

South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Wood, Wyrick, Mr. Speaker.
Total 78

Noes: Brand, Dassinger, Ellerd, Ellison, Keedy, Moore, Porter, Ramirez, K. Robbins, Sales, Seifert, Sivertsen, Smith, Yardley.
Total 14

Excused: Fagg, Meyer.
Total 2

Absent or not voting: Harrington, Kessler, Magone, Nordtvedt, Oberg, Williams.
Total 6

Senate Bill No. 523 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: Hurwitz, Jensen, Moore, Roth, Sales, Stobie.
Total 6

Excused: Fagg, Meyer.
Total 2

Absent or not voting: Ellis, Harrington, Kessler, Nordtvedt.
Total 4

Senate Bill No. 99 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Keedy, Oberg, Ramirez, Uhde, Underdal.
Total 5

Excused: Fagg, Meyer.
Total 2

Absent or not voting: Harrington, Huennekens, Kessler, Nordtvedt.
Total 4

Senate Amendments to House Bill No. 273 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: Smith.
Total 1

Excused: Fagg, Meyer.
Total 2

Absent or not voting: Dussault, Harrington, Hirsch, Kessler, Manning, Nordtvedt, K. Robbins, Staigmiller, Thoft.
Total 9

Senate Amendments to House Bill No. 770 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: None.
Total 0

Excused: Fagg, Meyer.
Total 2

Absent or not voting: Ellison, Harrington, Kessler, Manning, Nordtvedt, K. Robbins.
Total 6

Senate Amendments to House Bill No. 894 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manuel,

Menahan, Metcalf, Nathe, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 83

Noes: Brand, Huennekens, Marks, Moore, Oberg, Staigmiller, Yardley.
Total 7

Excused: Fagg, Meyer.
Total 2

Absent or not voting: Cooney, Harrington, Holmes, Kessler, Manning, Nordtvedt, K. Robbins, Roth.
Total 8

Senate Amendments to House Bill No. 913 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Fagg, Meyer.
Total 2

Absent or not voting: Harrington, Kessler, Manning, Nordtvedt.
Total 4

Senate Amendments to House Joint Resolution No. 61 were concurred in by the following vote:

Ayes: Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Moore, Nathe, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 86

Noes: Azzara, Oberg, Roth, Smith, Yardley.
Total 5

Excused: Fagg, Meyer.

Total 2

Absent or not voting: Anderson, Harrington, Jensen, Keedy, Manning, Nordtvedt, O'Connell.
Total 7

Senate Bill No. 162 (Constitutional Amendment) failed to receive the necessary two-thirds vote of the Legislature by the following vote:

Ayes: Anderson, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hayne, Hemstad, Hirsch, Hurwitz, Iverson, Jensen, Johnston, Keedy, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Marks, Meyer, Moore, Nathe, Nordtvedt, Porter, Ramirez, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, South, Spilker, Stobie, Teague, Thoft, Uhde, Underdal, Vinger, Wood, Wyrick.
Total 54

Noes: Azzara, Baeth, Bardanouve, Brand, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Holmes, Huennekens, Johnson, Kanduch, Kessler, Kemmis, McBride, Magone, Manuel, Menahan, Metcalf, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Scully, Shelden, Staigmiller, Tropila, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 45

Paired: Burnett, Ellis, Fagg, Keyser, Marks, Meyer, Nordtvedt, Porter, Ramirez, Seifert, Sivertsen, Thoft, Ayes; Daily, Harrington, Holmes, Kessler, Menahan, Vincent, Noes.

Excused: None.
Total 0

Absent or not voting: Manning.
Total 1

REPORTS OF STANDING COMMITTEES

Dussault moved that all printing reports be deemed read this day. Motion carried.

BILLS (Metcalf, Chairman): 4/18/79

Correctly printed - HJR 69.

Correctly enrolled - HB 796, HB 908, HJR 56.

Examined by the Sponsor and found to be correct - HB 796, HB 908, HJR 56.

Will be signed by the Speaker on adjournment, 4/18/79 - HB 796, HJR 56, SB 71, SB 521, SJR 4, SJR 29.

Will be signed by the Speaker at 3:30 p.m., 4/18/79 - HB 908.

Signed by the Speaker, 4/17/79 - HB 282, HB 299, HB 418, HB 427, HB 534, HB 669, HB 678, HB 830, HB 845, HB 895, HB 910, HJR 42, HJR 59.

Signed by the Speaker, 4/18/79 - HB 796, HJR 56, SB 71, SB 521, SJR 4, SJR 29.

Delivered to the Governor for his approval at 12:15 p.m., 4/18/79 - HB 410, HB 594, HB 647, HB 842, HB 868, HB 890, HB 923.

Do Pass

LOCAL GOVERNMENT (H. Robbins, Chairman): 4/18/79
SJR 38, be concurred in. Report adopted.

TAXATION (Huennekens, Chairman): 4/16/79
SB 347, third reading copy, be amended as follows:

1. Title, line 5.
Following: "GRANTS;"
Insert: "CREATING A COAL TAX OVERSIGHT SUBCOMMITTEE OF THE REVENUE OVERSIGHT COMMITTEE; APPROPRIATING FUNDS FOR THE EXPENSES OF THE SUBCOMMITTEE;"

2. Page 1, line 23.
Following: "OR"
Strike: "1972"
Insert: "1970"

3. Page 2, line 3.
Following: line 2
Strike: "1972"
Insert: "1970"

4. Page 2, line 5.
Following: "circumstances"
Strike: "shall"
Insert: "may"

5. Page 2.
Following: line 17
Insert: "SECTION 2. THERE IS A NEW MCA SECTION THAT READS:

Coal tax oversight subcommittee — duties. (1) The chairman of the revenue oversight committee shall appoint a coal tax oversight subcommittee for the biennium ending June 30, 1981.

(2) The subcommittee consists of four members of the revenue oversight committee and four legislators who are not members of the revenue oversight committee. Four members must be from the senate and four members must be from the house of representatives. No more than two members from each house may be members of the same political party.

(3) The subcommittee may:

(a) review the programs financed by the coal severance tax funds; and

(b) consider any matters relating to coal taxation.

(4) The subcommittee shall elect a chairman and may meet upon the call of that chairman.

Section 3. Appropriation. There is appropriated $8,000 from the local impact and education trust fund account in the earmarked revenue fund to the legislative council for the expenses of the coal tax oversight subcommittee."

And as amended, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 432
Report No. 1, April 18, 1979

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 432, met April 18, 1979, and considered:

1. Senate Committee of the Whole amendments to the third reading copy, dated March 7, 1979, and March 9, 1979.

We recommend that:

1. the Senate recede from Committee of the Whole amendment number 1, dated March 7, 1979, and Committee of the Whole amendment numbers 1 through 4, dated March 9, 1979;

2. the reference (engrossed) copy of House Bill No. 432 read as specified in the CLERICAL INSTRUCTIONS;

3. the Conference Committee Report to House Bill No. 432 be adopted.

CLERICAL INSTRUCTIONS:

1. Title, line 6.
Following: "~~HIGHWAY~~"
Insert: "STATE HIGHWAY"

2. Title, lines 6 and 7.
Following: "TO"
Strike: "OR WITHIN VIEW OF"

3. Page 1, lines 17 through 19.
Following: "HIGHWAY"
Strike: remainder of line 17 through "HIGHWAY," on line 19

FOR THE HOUSE:	FOR THE SENATE:
MENAHAN	D. MANNING
DONALDSON	KOLSTAD
R. MANNING	HAGER

FREE JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 916
Report No. 1, April 18, 1979

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 916, met April 17, 1979, and considered:

1. Senate Committee on Taxation amendments to the third reading copy, dated April 7, 1979.

We recommend that:

1. the House accede to the Committee amendment numbers 1 through 3;

2. House Bill No. 916 be further amended as indicated in CLERICAL INSTRUCTION number 1;

3. the Conference Committee Report to House Bill No. 916 be adopted.

CLERICAL INSTRUCTIONS:

1. Title, lines 8 and 9.
Following: "EMPLOYEES"
Strike: "IF THE ASSETS OF THE CORPORATION ARE INSUFFICIENT TO PAY THE AMOUNT OWED THE STATE"

FOR THE HOUSE:

REICHERT
HUENNEKENS
RAMIREZ

FOR THE SENATE:

GOODOVER
SEVERSON
TOWE

FREE JOINT CONFERENCE COMMITTEE
ON HOUSE JOINT RESOLUTION NO. 51
Report No. 1, April 18, 1979

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Joint Resolution No. 51, met April 17, 1979, and considered:

1. Senate Committee of the Whole amendments to the third reading copy, dated April 9, 1979.

We recommend that:

1. the House accede to Committee of the Whole amendment numbers 1 through 9;

2. House Joint Resolution No. 51 be further amended as indicated in CLERICAL INSTRUCTION numbers 1 through 4;

3. the reference (engrossed) copy of House Joint Resolution No. 51 read as specified in the CLERICAL INSTRUCTIONS;

4. the Conference Committee Report to House Joint Resolution No. 51 be adopted.

CLERICAL INSTRUCTIONS:

1. Title, lines 5 and 6.
Strike: "URGING THE COMMITTEE ON PRIORITIES TO ASSIGN"
Insert: "ASSIGNING"

2. Page 2, line 12.
Strike: "the Committee on Priorities is urged to assign"

3. Page 2, line 13.
Following: "study"
Insert: "be made"

4. Page 2, line 18.
Strike: "assigned to"
Insert: "conducted by"

FOR THE HOUSE:

SHELDEN
KESSLER
BERTELSEN

FOR THE SENATE:

KOLSTAD
DOVER
MANLEY

FREE CONFERENCE COMMITTEE
ON SENATE BILL NO. 76
Report No. 1, April 18, 1979

Mr. President and Speaker of the House:

We, your Free Conference Committee on Senate Bill No. 76, met on April 18, 1979, and considered:

1. House Select Committee on Water amendments, dated April 6, 1979, third reading copy.

We recommend that:

1. the Senate accede to the Select Committee amendment numbers 1 through 3;

2. Senate Bill No. 76 be further amended as indicated in the CLERICAL INSTRUCTIONS;

3. the reference copy of Senate Bill No. 76 read as specified in the CLERICAL INSTRUCTIONS;

4. the Free Conference Committee Report on Senate Bill No. 76 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 1, line 17.
Following: "1."
Strike: "District"
Insert: "Purpose — district"

2. Page 1, line 18.
Following: "creation."
Insert: "(1) [This act] amends the Montana Water Use Act to expedite and facilitate the adjudication of existing water rights."
Renumber: all subsequent subsections

3. Page 1, lines 22 and 23.
Following: "designated"
Strike: "effective July 1, 1979,"
Insert: "within 30 days after [the effective date of this act]"

4. Page 1, lines 24 and 25.
Following: "of"
Strike: "the senior judge in each judicial district"
Insert: "the district judge from each single judge judicial district and the chief district judge from each multiple judge judicial district,"

5. Page 3, line 11.
Following: "of"
Strike: "an existing right"
Insert: "a matter concerning the determination and interpretation of existing water rights"

6. Page 4, line 20 through line 1 on page 5.
Following: "division."
Strike: subsection (1) in its entirety
Insert: "(1) The action for the adjudication of all existing water rights under [this act] is commenced with the issuing of the order by the Montana supreme court to file a statement of a claim of an existing water right as provided in [section 16]. As to each claim, the action is considered filed in the judicial district of the county

in which the diversion is made or, if there is a claimed right with no diversion, in the judicial district of the county in which the use occurs."

7. Page 5, line 5.
Following: "are"
Insert: "considered"
Following: "filed in"
Insert: "or transferred to"

8. Page 5, line 21.
Following: line 20
Strike: "October 1, 1979"
Insert: "the date of the Montana supreme court order as provided in [section 16]"

9. Page 6, line 3.
Following: line 2
Insert: "(7) The water judge may designate any other district judge within the water division to preside in his absence on his behalf as water judge for the immediate enforcement of an existing decree or the immediate granting of extraordinary relief as may be provided for by law upon an allegation of irreparable harm."
Renumber: all subsequent subsections

10. Page 9, line 12.
Following: "term"
Insert: "forfeits his judicial position, is removed,"

11. Page 9, lines 15 and 16.
Following: "from"
Strike: "July 1, 1979,"
Insert: "the date of initial appointment as provided in [section 1]"

12. Page 9, line 20.
Following: "forms."
Strike: "The"
Insert: "As soon as practicable the"

13. Page 10, line 2.
Following: "below"
Insert: "or unless an earlier filing date is ordered as provided in [section 16]"

14. Page 10, line 17.
Following: "1973,"
Insert: "or under sections 3 and 4 of Chapter 485, Laws of 1975,"

15. Page 12, line 19.
Following: "shall"
Strike: "on or before October 1, 1979,"
Insert: "within 10 days of the filing of the petition by the attorney general"

16. Page 13, line 9.
Following: "America"
Insert: "on its own behalf or as trustee for any Indian or Indian tribe"

17. Page 13, line 13.
Following: "and"
Insert: "individual as opposed to municipal"

18. Page 13, line 20.
Following: "1973,"
Insert: "or under section 3 and 4 of Chapter 485, Laws of 1975,"

19. Page 13, line 25.
Following: "court"
Strike: "may"
Insert: "shall"

20. Page 14, line 2.
Following: "year"
Insert: ", subject to extension not beyond June 30, 1983, by the Montana supreme court upon petition of the attorney general,"

21. Page 14, lines 12 and 13.
Following: "state"
Strike: "during the month of October 1979,"
Insert: "within 30 days after the Montana supreme court order as provided in [section 16]"

22. Page 14, line 17.
Following: "state"
Insert: "within 30 days after the Montana supreme court order as provided in [section 16]"

23. Page 15, lines 6 and 7.
Following: "Helena"
Strike: "during July, 1979"
Insert: "within 30 days after the Montana supreme court order as provided in [section 16]"
Following: "1979, and"
Insert: "in"

24. Page 15.
Following: line 7
Insert: "(5) It shall, under authority granted to the states by 43 U.S.C. 666, provide for service of the petition and order upon the United States attorney general or his designated representative."
Renumber: all subsequent subsections

25. Page 15, line 14.
Following: "Fees"
Insert: "—"

26. Page 15, line 19.
Following: "court"
Strike: "district"
Insert: "division"

27. Page 16, line 17.
Following: "(1)"
Strike: "The"
Insert: "Within 20 days after [the effective date of this act], the"

28. Page 16, lines 21 through 23.
Following: line 20
Strike: subsection (2) in its entirety
Renumber: subsequent subsection

29. Page 17, lines 13 and 14.
Following: "of"
Strike: "randomly selected claims or"

30. Page 18, line 21.
Following: "of"
Insert: "an"

31. Page 19, line 1.
Following: "pursuant to"
Strike: "85-2-301"
Insert: "Title 85, chapter 2, part 3,"

32. Page 22, line 24 through line 6 on page 25.
Strike: section 27 in its entirety
Insert: "**NEW SECTION.** Section 27. Legislative intent regarding Indian water rights — suspension of adjudication — negotiation of compacts authorized — procedure — negotiation of federal rights. (1) Because the water and water rights within each water division are interrelated, it is the intent of the legislature to conduct unified proceedings for the general adjudication of existing water rights under the Montana Water Use Act. Therefore, it is the intent of the legislature that the attorney general's petition required in [section 16] include all claimants of reserved Indian water rights as necessary and indispensable parties under authority granted the state by 43 U.S.C. 666. However, it is further intended that the state of Montana proceed under the provisions of this section in an effort to conclude compacts for the equitable division and apportionment of waters between the state and its people and the several Indian tribes claiming reserved water rights within the state.

(2) From the time of filing the petition required in [section 16] until July 1, 1982, and while negotiations for the conclusion of a compact under this section are being pursued, all actions to generally adjudicate reserved Indian water rights from a source of water in question under [this act] are suspended, unless an action is commenced or is pending by or on behalf of an Indian tribe to adjudicate water from that source other than as provided for in Title 85, chapter 2. In such case, the suspension is maintained only if the action is dismissed or if the parties to the action stipulate to the suspension during compact negotiations of all further proceedings in the action except the determination of jurisdictional issues and an order is so issued.

(3) The compact commission may negotiate with the Indian tribes or their authorized representatives jointly or severally to conclude compacts authorized under subsection (1). Compact proceedings shall be commenced by the commission. The commission shall serve by certified mail directed to the governing body of each tribe a written request for the initiation of negotiations under [this act] and a request for the designation of an authorized representative of the tribe to conduct compact negotiations. Upon receipt of such written designation from the governing body of a tribe, compact negotiations shall be considered to have commenced. When the compact commission and the Indian tribes or their authorized representatives have agreed to a compact, they shall sign a copy and file an original copy with the department of state of the United States of America and copies with the secretary of state of Montana and with the governing body for the tribe involved. The compact is effective and binding upon all parties upon ratification by the legislature of Montana, any affected tribal governing body, and the congress of the United States. The water judge shall include in the preliminary decree the contents of a compact that has been agreed upon by the

parties to the compact whether or not it has been ratified by congress.

(4) (a) There is created a reserved water rights compact commission. Commissioners are appointed within 30 days of [the effective date of this act] as follows:

(i) two members of the house of representatives appointed by the speaker, each from a different political party;

(ii) two members of the senate appointed by the president, each from a different political party;

(iii) four members designated by the governor; and

(iv) one member designated by the attorney general.

(b) Legislative members of the commission are entitled to receive compensation and expenses as provided in 5-2-301 for each day actually spent on commission business. Other members are entitled to salary and expenses as state employees.

(c) The commission is attached to the governor's office for administrative purposes only. The costs of the commission shall be paid from funds appropriated for that purpose from the water right adjudication account established in [section 19].

(d) Members appointed to the commission shall serve until the work of the commission is completed or until they resign or are otherwise unable to serve. A vacancy must be filled in the manner of the original appointment.

(5) The commission or any other party to the negotiations may terminate negotiations by providing notice to all parties 30 days in advance of the termination date. On the termination date, the suspension of the application of [this act] provided for in subsection (2) shall also terminate.

(6) The compact commission may also enter into separate negotiations with the federal government for the conclusion of compacts concerning the equitable division and apportionment of water between the state and its people and the federal government claiming non-Indian reserved waters within the state. The terms and conditions of such negotiations shall be the same as provided in this section for negotiations with Indian tribes."

33. Page 27, lines 11 through 13.
Strike: subsection (12) in its entirety
Renumber: all subsequent subsections

FOR THE HOUSE: FOR THE SENATE:

SCULLY GALT
RAMIREZ STORY
KEMMIS BOYLAN

MESSAGES FROM THE GOVERNOR

The Honorable Harold Gerke 4/18/79
Speaker, House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that I have signed the following measures this date:

House Bill Nos. 122, 237, 482, 634 and 727.

Sincerely,

Thomas L. Judge
Governor

MESSAGES FROM THE OTHER HOUSE

House Bill, requiring a suspension of the rules to be considered by the Senate, failed to do so and returned to the House: 4/18/79

House Bill No. 924, introduced by Frates

Senate Bill No. 525, introduced by Stephens, Blaylock, Ramirez, requiring adoption by an affirmative roll call vote of two-thirds of all members of the Legislature, passed by the Senate and transmitted to the House with the following vote: 4/17/79

SENATE

YEAS - 46
NAYS - 2

Senate Bill passed as amended and transmitted to the House for concurrence: 4/17/79

Senate Bill No. 524, introduced by Blaylock, Jergeson, et al

MOTIONS

Vincent moved that Kessler be recorded as voting aye on SB 358 on Third Reading this day. Motion carried unanimously.

Ellerd moved that he be recorded as voting aye on SB 358 on Third Reading this day. Motion carried unanimously.

Scully moved that the New Conference Committee on Senate Amendments to HB 879 be dissolved. Motion carried.

Dussault moved that the Governor's Amendments to SB 489 be placed on Second Reading this day. Motion carried.

Dussault moved that the Governor's Amendments to SB 504 be placed on Second Reading this day. Motion carried.

Dussault moved that the rules be temporarily suspended to allow the acceptance, introduction, and consideration of SB 525 this session. Motion carried. (90-3)

Dussault moved that SJR 11 be rereferred from the Long-Range Building Committee to the Committee on Appropriations. Motion carried.

Dussault moved that the Free Conference Committee on HB 416 be dissolved and that the Speaker be authorized to appoint a New Free Conference Committee of three to meet with a like committee from the Senate on HB 416. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on HB 547. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on HB 692. Motion carried.

Dussault moved that HB 819 be re-enrolled, due to an error found in the printing of the bill. Motion carried.

Keedy moved that the Conference Committee on Senate Amendments to HB 652 be dissolved and the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on HB 652. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bill was introduced, read first time and referred to committee:

SB 525, introduced by Stephens, Blaylock, Vincent, Ramirez, (By Request of the Joint Rules Committee). Referred to Committee on Rules.

House recessed at 3:58 p.m.

House reconvened at 4:45 p.m.

MOTIONS

Dussault moved that the rules be temporarily suspended to allow the acceptance, introduction, and consideration of SB 524 this session. Motion carried. (84-8)

Dussault moved that HJR 69, SB 347, SJR 38 be placed on Second Reading this day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Tropila in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Free CC on SB 78 be adopted. (73-15)

That Free CC on SB 217 be rejected. (80-12)

That GA to SB 250 be adopted. (58-28)

That HB 920 do not pass. (54-36)

That SB 384 be concurred in. (63-27)

That Committee on Taxation Amendments to Senate Bill No. 508, third reading copy, be amended as follows: (83-1)

1. Amendments 23 through 28.
Strike: amendments 23 through 28 in their entirety

And as amended, be concurred in. (89-0)

That SA to HB 9 be concurred in. (88-0)

That SA to HB 297 be not concurred in. Motion failed. (27-67)

That SA to HB 297 be concurred in. (68-27)

That SA to HB 537 be concurred in. (81-3)

That SA to HB 568 be concurred in. (80-9)

That SA to HB 896 be concurred in. (75-5)

That SA to HJR 58 be concurred in. (78-2)

That Free CC on HB 475 be adopted. (77-0)

That Free CC on HB 616 be rejected. (79-0)

That Free CC on HB 851 be adopted. (86-0)

That Free CC on HB 877 be adopted. (78-7)

That Free CC on HB 883 be adopted. (84-4)

That Free CC on SB 170 be rejected. (67-17)

That Free CC on SB 221 be adopted. (83-0)

That SA to HB 921 be concurred in. (61-20)

That HR 5 be rejected. (62-28)

That HR 6 be adopted. (83-0)

That HJR 69 do pass. (77-6)

That SB 347 be concurred in. (43-41)

That SJR 38 be concurred in. (68-9)

That the Committee rise and report and beg leave to sit again. (Tropila, Chairman). Tropila moved that the committee report be deemed read. Motion carried. Report adopted. (88-2)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Free Conference Committee Report on Senate Bill No. 78 was adopted by the following vote:

Ayes: Azzara, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Teague, Thoft, Tropila, Underdal, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 77

Noes: Anderson, Keedy, Marks, Seifert, Staigmiller, Uhde, Vinger, Wood, Wyrick.
Total 9

Excused: Fagg.
Total 1

Absent or not voting: Bardanouve, Brand, Conroy, Daily, Ellison, Johnson, Kanduch, Keyser, Pavlovich, Pistoria, Roth, Scully, Stobie.
Total 13

Governor's Amendments to Senate Bill No. 250 were adopted by the following vote:

Ayes: Azzara, Baeth, Bennett, Bertelsen, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Johnson, Kemmis, Kessler, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, South, Spilker, Stobie, Teague, Tropila, Underdal, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 73

Noes: Anderson, Bengtson, Burnett, Jensen, Johnston, Keedy, Kropp, Nathe, Ramirez, K. Robbins, Staigmiller, Thoft, Uhde, Vinger, Wood, Wyrick.
Total 16

Excused: Fagg.
Total 1

Absent or not voting: Bardanouve, Brand, Conroy, Daily, Ernst, Hurwitz, Kanduch, Keyser, Scully, Smith.
Total 10

Senate Bill No. 384 was concurred in by the following vote:

Ayes: Azzara, Baeth, Bengtson, Bennett, Conroy, Cooney, Curtiss, Dassinger, Day, Dozier, Dussault, Ellerd, Ellis, Ernst, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Jensen, Johnston, Keedy, Kessler, Kropp, Kvaalen, Lien, McBride, Manuel, Menahan, Metcalf, Meyer, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, K. Robbins, Sales, Scully, Seifert, Shelden, Sivertsen, South, Staigmiller, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.
Total 65

Noes: Anderson, Bertelsen, Burnett, Donaldson, Ellison, Eudaily, Hayne, Hurwitz, Iverson, Johnson, Kemmis, Lory, Lund, Magone, Manning, Marks, Moore, Nordtvedt, Porter, Ramirez, Rosenthal, Roth, Schultz, Smith, Spilker, Stobie, Uhde, Waldron, Yardley.
Total 29

Excused: Fagg.
Total 1

Absent or not voting: Bardanouve, Brand, Daily, Kanduch, Keyser.
Total 5

Senate Bill No. 508 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould,

Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 89

Noes: Burnett, Nordtvedt, Yardley.
Total 3

Excused: Fagg.
Total 1

Absent or not voting: Bardanouve, Brand, Daily, Kanduch, Keyser, Kvaalen, Underdal.
Total 7

Senate Amendments to House Bill No. 9 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 87

Noes: Hirsch.
Total 1

Excused: Fagg.
Total 1

Absent or not voting: Bardanouve, Brand, Daily, Ernst, Kanduch, Keyser, Kvaalen, Nordtvedt, Oberg, Schultz, Stobie.
Total 11

Senate Amendments to House Bill No. 297 were concurred in by the following vote:

Ayes: Azzara, Baeth, Bengtson, Bennett, Burnett, Cooney, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Holmes, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Scully, Seifert, Shelden, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Yardley, Mr. Speaker.
Total 73

Noes: Anderson, Bertelsen, Curtiss, Ellerd, Ellison, Hirsch, Huennekens, Johnson, Keedy, Kemmis, Kessler, Nordtvedt, Oberg, Rosenthal, Sivertsen, Spilker, Waldron, Williams, Wood, Wyrick.

Total 20

Excused: Fagg.
Total 1

Absent or not voting: Bardanouve, Brand, Conroy, Daily, Keyser, Smith.
Total 6

Senate Amendments to House Bill No. 537 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Moore, Uhde.
Total 2

Excused: Fagg.
Total 1

Absent or not voting: Bardanouve, Bennett, Brand, Daily, Hayne, Kanduch, Keyser, Lien.
Total 8

Senate Amendments to House Bill No. 568 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bertelsen, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Marks, Menahan, Metcalf, Meyer, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, South, Staigmiller, Teague, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 79

Noes: Bennett, Lund, Manuel, Moore, Nathe, Roth, Seifert, Smith, Spilker, Stobie, Thoft, Uhde.
Total 12

Excused: Fagg.
Total 1

Absent or not voting: Bardanouve, Brand, Burnett, Daily, Hurwitz, Kanduch, Keyser, Oberg.
Total 8

Senate Amendments to House Bill No. 896 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 83

Noes: Ellis, Eudaily, Iverson, Moore, Oberg, Porter, Roth, Stobie.
Total 8

Excused: Fagg.
Total 1

Absent or not voting: Bardanouve, Brand, Daily, Kanduch, Keyser, Lory, Nordtvedt, Smith.
Total 8

Senate Amendments to House Bill No. 921 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Cooney, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Jensen, Johnson, Johnston, Kemmis, Kessler, Kvaalen, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Wood, Yardley, Mr. Speaker.
Total 77

Noes: Burnett, Conroy, Curtiss, Hurwitz, Iverson, Lien, Roth, Seifert, Smith.
Total 9

Excused: Fagg.
Total 1

Absent or not voting: Bardanouve, Brand, Daily, Ellison, Kanduch, Keedy, Keyser, Kropp, Oberg, Stobie, Thoft, Williams, Wyrick.
Total 13

Senate Amendments to House Joint Resolution No. 58 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Porter, Quilici, Ramirez, Reichert, H. Robbins, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Teague,

Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 82

Noes: Feda, Pistoria, Rosenthal, Smith, Stobie.
Total 5

Excused: Fagg.
Total 1

Absent or not voting: Bardanouve, Brand, Daily, Dozier, Ellison, Holmes, Kanduch, Keyser, K. Robbins, Staigmiller, Thoft, Vinger.
Total 12

Free Conference Committee Report on House Bill No. 475 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Burnett, Conroy, Roth, Seifert, Smith.
Total 5

Excused: Fagg.
Total 1

Absent or not voting: Bardanouve, Brand, Daily, Kanduch, Keyser.
Total 5

Free Conference Committee Report on House Bill No. 851 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Nathe.
Total 1

Excused: Fagg.
Total 1

Absent or not voting: Bardanouve, Brand, Daily, Kanduch, Keyser, Uhde.
Total 6

Free Conference Committee Report on House Bill No. 877 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.
Total 87

Noes: Oberg, Ramirez, Rosenthal, Waldron, Yardley.
Total 5

Excused: Fagg.
Total 1

Absent or not voting: Bardanouve, Brand, Daily, Ellison, Kanduch, Keyser, South.
Total 7

Free Conference Committee Report on House Bill No. 883 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 87

Noes: Burnett, Conroy, Jensen, Keedy, Roth, Vinger, Waldron.
Total 7

Excused: Fagg.
Total 1

Absent or not voting: Bardanouve, Brand, Daily, Kanduch, Keyser.
Total 5

Free Conference Committee Report on Senate Bill No. 221 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Manning, Manuel, Marks,

Menahan, Metcalf, Meyer, Moore, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Magone, Ramirez.
Total 2

Excused: Fagg.
Total 1

Absent or not voting: Bardanouve, Brand, Daily, Ellison, Kanduch, Keyser, Nathe, Nordtvedt.
Total 8

House Joint Resolution No. 69 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Johnson, Johnston, Keedy, Kemmis, Kessler, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 85

Noes: Burnett, Hurwitz, Jensen, Kvaalen, Marks, Sales, Smith, Thoft, Wood.
Total 9

Excused: Fagg.
Total 1

Absent or not voting: Bardanouve, Brand, Daily, Kanduch, Keyser.
Total 5

Senate Bill No. 347 was not concurred in by the following vote:

Ayes: Azzara, Baeth, Bengtson, Cooney, Dassinger, Day, Dozier, Dussault, Eudaily, Fabrega, Frates, Gilligan, Gould, Harper, Hirsch, Huennekens, Johnson, Kemmis, Kessler, Kvaalen, Lory, McBride, Magone, Manning, Manuel, Metcalf, Oberg, Reichert, H. Robbins, Shelden, South, Spilker, Teague, Uhde, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 40

Noes: Anderson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Donaldson, Ellerd, Ellis, Ellison, Ernst, Feda, Gesek, Hand, Hayne, Hemstad, Holmes, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kropp, Lien, Lund, Marks, Menahan, Meyer, Moore, Nathe, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Sivertsen, Smith, Staigmiller, Stobie, Thoft, Tropila, Underdal, Vinger, Wyrick.
Total 54

Excused: Fagg.
Total 1

Absent or not voting: Bardanouve, Brand, Daily, Harrington, Keyser.
Total 5

Senate Joint Resolution No. 38 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bertelsen, Cooney, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 73

Noes: Bennett, Burnett, Curtiss, Ernst, Hayne, Jensen, Keedy, Marks, Moore, Nathe, Nordtvedt, Porter, Ramirez, Schultz, Scully, Seifert, Smith, Stobie.
Total 18

Excused: Fagg.
Total 1

Absent or not voting: Bardanouve, Brand, Conroy, Daily, Ellison, Kanduch, Keyser, Thoft.
Total 8

MESSAGES FROM THE OTHER HOUSE

The Senate on 4/18/79, dissolved the Free Conference Committee on House Bill No. 879 and appointed a Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 879.

The President appointed the following members:

Senator Story, Chairman
Senator McCallum
Senator Peterson

House Bills concurred in as amended and returned to the House for concurrence in Senate Amendments: 4/17/79

House Bill No. 639, introduced by Lien, Manley, et al

House Bill No. 841, introduced by Dassinger, Conroy

House Bill No. 891, introduced by South, Gerke, Dussault, et al

The Senate on 4/18/79, requested the return of the following House Bill for further consideration:

House Bill No. 849, introduced by Johnson, Fasbender

MOTIONS

Dussault moved that the Free Conference Committee on SB 217 be dissolved and that the Speaker be authorized to appoint a New Free Conference Committee of three to meet with a like committee from the Senate on SB 217. Motion carried.

Dussault moved that the House accede to the request of the Senate and return HB 849 for further consideration. Motion carried.

Scully moved that the Conference Committee Report on SB 76, presently on Second Reading, pass consideration for the day. Motion carried.

Keedy moved that the Free Conference Committee on SB 170 be dissolved and that the Speaker be authorized to appoint a New Free Conference Committee of three to meet with a like committee from the Senate on SB 170. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bill was introduced, read first time and referred to committee:

SB 524, introduced by Blaylock, Jergeson, Stephens, Graham, B. Brown, Hazelbaker, E. Smith, Towe, Regan, Fasbender, M. Anderson, Iverson, Himsl, Severson, Conroy, Kolstad, Norman, Thiessen, Palmer, Thomas, Healy, Peterson, S. Brown, Lensink, Van Valkenburg, Waldron, Fabrega, Mathers, Conover, Hager, Rasmussen, Watt, Ryan, Hafferman, R. Smith, Boylan, Stimatz, Lockrem, O'Hara, McCallum, Dozier, Holmes, Dussault. Referred to Select Committee on Water.

House recessed at 7:55 p.m.

House reconvened at 8:35 p.m.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 4/18/79

Correctly enrolled - HB 550, HB 643, HB 754, HB 775, HB 919.

Examined by the Sponsor and found to be correct - HB 550, HB 643, HB 754, HB 775, HB 919.

Will be signed by the Speaker on adjournment, 4/18/79 - HB 550, HB 643, HB 754, HB 775, HB 919, SB 75, SB 220, SB 351, SB 459.

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE
ON SENATE BILL NO. 412
Report No. 1, April 18, 1979

Mr. President and Speaker of the House:

We, your Free Conference Committee on Senate Bill No. 412, met on April 18, 1979, and considered:

1. House Committee on Local Government amendments, dated March 15, 1979, third reading copy.

We recommend that:

1. the House recede from the Standing Committee amendment numbers 1 and 2;

2. Senate Bill No. 412 be further amended as indicated in the CLERICAL INSTRUCTIONS;

3. the reference copy of Senate Bill No. 412 read as specified in the CLERICAL INSTRUCTIONS;

4. the Free Conference Committee Report to Senate Bill No. 412 be adopted.

CLERICAL INSTRUCTIONS:

1. Title, lines 6 through 8.
Strike: "ANY DIVISION WHICH CREATES ONE ADDITIONAL RESIDENTIAL LOT WITHIN A PLATTED SUBDIVISION"
Insert: "ANY DIVISION THAT CREATES ONLY ONE ADDITIONAL LOT"

2. Page 2, lines 15 through 17.
Strike: "DIVISION WHICH CREATES ONE ADDITIONAL RESIDENTIAL LOT WITHIN A PLATTED SUBDIVISION"
Insert: "division that creates only one additional lot"

FOR THE HOUSE:
SHELDEN
O'CONNELL
CURTISS

FOR THE SENATE:
MCCALLUM
STORY
WATT

UNFINISHED BUSINESS

The Speaker appointed the following New Free Conference Committee of three to meet with a like committee from the Senate on SB 217:

Kemmis, Chairman
Keedy
Ramirez

The Speaker appointed the following New Free Conference Committee of three to meet with a like committee from the Senate on SB 170:

Dassinger, Chairman
Oberg
Ellerd

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on HB 652:

Keedy, Chairman
Hand
Hemstad

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on HB 547:

Daily, Chairman
Oberg
Eudaily

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on HB 692:

Dussault, Chairman
Johnston
Lory

The Speaker appointed the following New Free Conference Committee of three to meet with a like committee from the Senate on HB 416:

Bardanouve, Chairman
Menahan
Ellis

MOTIONS

Dussault moved that Senate Amendments to HB 63, SB 372, SB 525 be taken from the Committee on Rules and placed on Second Reading this day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Tropila in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Vincent replaced Tropila in the Chair.

That CC on SA to HB 432 be adopted. (90-0)

That Free CC on HB 461 be adopted. (72-16)

That Free CC on HB 916 be adopted. (76-12)

Tropila back in the Chair.

That Free CC on HJR 51 be adopted. (87-0)

That GA to SB 489 be adopted. (83-5)

That GA to SB 504 be adopted. (79-7)

That SA to HB 639 be not concurred in. (83-0)

Dassinger moved that SA to HB 841 be placed at the bottom of the Second Reading board this day. Motion carried.

That SA to HB 891 be concurred in. (72-14)

That SA to HB 63 be not concurred in. (78-14)

That Appropriations Committee Amendments to Senate Bill No. 372, third reading copy, second printing, be amended as follows: (62-21)

1. Amendment number 2, lines 9 through 16 of the insertion paragraph.
Following: line 8 of the insertion
Strike: section 4 in its entirety

Harper moved that SB 372, as amended, pass consideration for the day. Motion carried.

Marks moved that SB 525 pass consideration for the day. Motion carried.

That SA to HB 841 be concurred in. (73-7)

That the Committee rise and report. (Tropila, Chairman). Tropila moved that the committee report be deemed read. Motion carried. Report adopted. (82-3)

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 4/18/79
Signed by the Speaker, 4/18/79 - HB 908.

MOTIONS

Dussault moved that the rules be suspended to allow for the introduction of a bill with a Statement of Intent, concerning the compromise tax measure. Motion carried. (92-2)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced by rule suspension:

HB 925, introduced by Leadership of the House and Senate.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Conference Committee Report on Senate Amendments to House Bill No. 432 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 92

Noes: Brand.
Total 1

Excused: Fagg.
Total 1

Absent or not voting: Daily, Gould, Keyser, Scully, Spilker, Vinger.
Total 6

Free Conference Committee Report on House Bill No. 461 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, O'Connell, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 85

Noes: Curtiss, Feda, Lund, Nathe, Nordtvedt.
Total 5

Excused: Fagg.
Total 1

Absent or not voting: Daily, Gould, Keyser, Oberg, Pavlovich, Scully, Smith, Stobie, Vinger.
Total 9

Free Conference Committee Report on House Bill No. 916 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 81

Noes: Brand, Burnett, Conroy, Hurwitz, Lund, Nathe, Nordtvedt, Porter, Seifert, Smith, Stobie.
Total 11

Excused: Fagg.
Total 1

Absent or not voting: Daily, Gould, Harrington, Keyser, Scully, Underdal, Vinger.
Total 7

Free Conference Committee Report on House Joint Resolution No. 51 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Yardley.
Total 82

Noes: Burnett, Conroy, Ellerd, Feda, Roth, Sales, Smith.
Total 7

Excused: Fagg.
Total 1

Absent or not voting: Daily, Ellison, Gould, Keyser, Manning, Scully, Thoft, Vinger, Wyrick, Mr. Speaker.
Total 10

Governor's Amendments to Senate Bill No. 489 were adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel,

Menahan, Metcalf, Meyer, Moore, Nathe, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 84

Noes: Brand, Huennekens, Seifert, Smith, Stobie.
Total 5

Excused: Fagg.
Total 1

Absent or not voting: Bengtson, Daily, Gesek, Gould, Keyser, Marks, Nordtvedt, Scully, Vinger, Yardley.
Total 10

Governor's Amendments to Senate Bill No. 504 were adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 84

Noes: Bengtson, Burnett, Hayne, Keedy, Moore, Nathe, Seifert, Smith, Stobie.
Total 9

Excused: Fagg.
Total 1

Absent or not voting: Daily, Gould, Keyser, Nordtvedt, Scully, Vinger.
Total 6

Senate Amendments to House Bill No. 891 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Tropila, Vincent, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 84

Noes: Brand, Curtiss, Ellison, Kropp, Schultz, Thoft, Uhde, Underdal, Wyrick.
Total 9

Excused: Fagg.
Total 1

Absent or not voting: Daily, Gould, Keyser, Scully, Stobie, Vinger.
Total 6

Senate Amendments to House Bill No. 841 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Brand, Manning, Pavlovich.
Total 3

Excused: Fagg.
Total 1

Absent or not voting: Daily, Gould, Jensen, Keyser, Scully, Staigmiller.
Total 6

MOTIONS

Dussault moved that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on HB 639. Motion carried.

Dussault moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to HB 63. Motion carried.

UNFINISHED BUSINESS

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on HB 639:

Lien, Chairman
Conroy
Thoft

Dussault moved that the House adjourn until 11:00 a.m., April 19, 1979.

Motion carried.

House adjourned at 9:40 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

EIGHTY-NINTH LEGISLATIVE DAY

Helena, Montana
April 19, 1979

House Chambers
Capitol Building

House convened at 11:02 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Fagg, excused; South, Yardley, absent. Quorum present.

REPORTS OF STANDING COMMITTEES

Dussault moved that all printing reports be deemed read this day. Motion carried.

BILLS (Metcalf, Chairman): 4/19/79

Correctly enrolled - HB 248, HB 303, HB 365, HB 386, HB 768, HJR 39, HJR 61.

Examined by the Sponsor and found to be correct - HB 386, HB 768, HJR 39, HJR 61.

Will be signed by the Speaker at 11:30 a.m., 4/19/79 - HB 248, HB 303, HB 365, HB 386, HB 768, HJR 39, HJR 61.

Will be signed by the Speaker on adjournment, 4/19/79 - HB 248, HB 303, HB 365.

Signed by the Speaker, 4/18/79 - HB 550, HB 643, HB 754, HB 775, HB 796, HB 919, HJR 56, SB 75, SB 220, SB 351, SB 459.

Delivered to the Governor for his approval at 10:05 a.m., 4/19/79 - HB 282, HB 299, HB 418, HB 427, HB 534, HB 669, HB 678, HB 796, HB 830, HB 845, HB 895, HB 908, HB 910.

Do Pass

SELECT COMMITTEE ON WATER (Day, Chairman): 4/19/79

SB 524, be concurred in. Report adopted.

MESSAGES FROM THE OTHER HOUSE

Conference Committee Reports adopted: 4/18/79

Free Conference Committee Report No. 2 on Senate Bill No. 170

Free Conference Committee Report No. 1 on Senate Bill No. 221

Free Conference Committee Report No. 1 on House Bill No. 461

Free Conference Committee Report No. 2 on House Bill No. 475

Free Conference Committee Report No. 1 on House Bill No. 851

Free Conference Committee Report No. 1 on House Bill No. 883

House Bill concurred in as amended and returned to the House for concurrence in Senate Amendments: 4/19/79

House Bill No. 848, introduced by Quilici, Menahan, Daily, et al

House Amendments to Senate Bills concurred in: 4/18/79

House Amendments to Senate Bill No. 142, introduced by Fabrega, Roskie, et al

House Amendments to Senate Bill No. 172, introduced by Story, R. Smith

House Amendments to Senate Bill No. 174, introduced by Hager, Donaldson

House Amendments to Senate Bill No. 181, introduced by Hazelbaker, Turnage

House Amendments to Senate Bill No. 286, introduced by S. Brown, Turnage

House Amendments to Senate Bill No. 303, introduced by Norman, Fabrega

House Amendments to Senate Bill No. 306, introduced by McCallum

House Amendments to Senate Bill No. 319, introduced by E. Smith

House Amendments to Senate Bill No. 389, introduced by Towe, et al

MOTIONS

Dussault moved that HB 925 be placed at the top of the Second Reading board this day. Motion carried.

Dussault moved that SB 524 and Senate Amendments to HB 848 be placed on Second Reading this day. Motion carried.

Huennekens moved that the House reconsider its action taken on the Eighty-eighth Legislative Day in failing to concur in SB 347, and that the bill be recalled from the Senate and placed on Second Reading. Motion carried. (65-24)

Dussault moved that SB 347 be placed on Second Reading this day, contingent on its return from the Senate. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Teague in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Fagg present at this time.

Nordtvedt moved that the ayes and nays be spread upon the Journal for Sivertsen's amendment to HB 925. Sufficient seconds arose. Amendment failed by the following vote: (48-52)

Ayes: Anderson, Azzara, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hayne, Hemstad, Hurwitz, Iverson, Jensen, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Marks, Meyer, Moore, Nathe, Nordtvedt, Porter, Ramirez, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, Spilker, Stobie, Thoft, Underdal, Vinger, Wood, Wyrick.
Total 48

Noes: Baeth, Bardanouve, Bengtson, Brand, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Frates, Gerke, Gesek, Gilligan, Hand, Harper,

Harrington, Hirsch, Holmes, Huennekens, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Scully, Shelden, South, Staigmiller, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Yardley.
Total 52

Paired: Sivertsen, Aye; Brand, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Fabrega moved that the ayes and nays be spread upon the Journal for his amendment to HB 925. Sufficient seconds arose. Amendment failed by the following vote: (46-53)

Ayes: Anderson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Donaldson, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hayne, Hemstad, Hurwitz, Iverson, Jensen, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Meyer, Moore, Nathe, Nordtvedt, Porter, Ramirez, Roth, Sales, Schultz, Seifert, Sivertsen, Smith, Spilker, Stobie, Thoft, Underdal, Vinger, Wood, Wyrick.
Total 46

Noes: Azzara, Baeth, Bardanouve, Bengtson, Brand, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Frates, Gerke, Gesek, Gilligan, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Scully, Shelden, South, Staigmiller, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Yardley.
Total 53

Excused: None.
Total 0

Absent or not voting: Marks.
Total 1

Gerke moved that the ayes and nays be spread upon the Journal for the motion to pass HB 925. Sufficient seconds arose. HB 925 was passed by the following vote: (96-4)

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley.
Total 96

Noes: Bennett, Conroy, Ellerd, Sales.
Total 4

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That the Committee rise and report and beg leave to sit again. (Teague, Chairman). Teague moved that the committee report be deemed read. Motion carried. Report adopted. (87-5)

MOTIONS

Dussault moved that the rules be temporarily suspended so that all bills passed, amendments concurred in, and Conference Committee Reports adopted on Second Reading this day be placed on Third Reading this day. Motion carried.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

House Bill No. 925 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95

Noes: Bennett, Conroy, Ellerd, Sales, Smith.
Total 5

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Scully moved that HJR 63 be taken from the Committee on Rules and placed on Second Reading this day. Motion carried.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 4/19/79
Correctly enrolled - HB 508, HB 894.

Examined by the Sponsor and found to be correct - HB 508, HB 894.

Will be signed by the Speaker at 11:55 a.m., 4/19/79 - HB 508, HB 894.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Metcalf, Chairman): 4/18/79

Recommend that the following be employed by the House of Representatives for the 46th Session at the beginning of business April 16, 1979:

Mark A. Magone.....Page
Bridget Dunn.....Page
Melanie Rose.....Page
Kenny Murphy.....Page
Tyrone Featherly.....Page
Michael K. Meyer.....Page

At the close of business, April 17, 1979, the following also be terminated:

Marcia Oursland.....Page
Mike Morasky.....Page

At the close of business, April 20, 1979, the following also be terminated:

Mark A. Magone.....Page
Bridget Dunn.....Page
Melanie Rose.....Page
Kenny Murphy.....Page
Tyrone Featherly.....Page
Michael K. Meyer.....Page

Report adopted.

Adverse Committee Reports

TAXATION (Huennekens, Chairman): 4/19/79
SB 318, be not concurred in.
SB 354, third reading copy, be amended as follows:

1. Page 7, lines 8 and 9.
Following: line 7
Strike: subsection 4 in its entirety

And as amended, be not concurred in.

UNFINISHED BUSINESS

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to HB 63:

Dassinger, Chairman
Huennekens
Sivertsen

The Honorable Harold E. Gerke 4/19/79
House of Representatives
Speaker of the House
Capitol Station
Helena, Montana 59601

Dear Speaker Gerke:

In accordance with 5-1-102, MCA 1978, I am hereby appointing Mrs. Marjorie B. Bell, 4675 Birdseye Drive, Helena, Montana, to the Reapportionment Commission.

Very truly yours,

Jack Ramirez

Representative Harold E. Gerke 4/19/79
Speaker of the House

Dear Speaker Gerke:

In accordance with 5-1-102, MCA 1978, I am hereby appointing James Pasma of Havre, Montana, to the Reapportionment Commission.

Sincerely,

Ann Mary Dussault
House Majority Leader

House recessed at 12:55 p.m.

House reconvened at 1:20 p.m.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Teague in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Appropriations Committee Amendments to Senate Bill No. 372, third reading copy, second printing, be amended as follows: (63-7)

1. Amendment number 1.
Strike: amendment number 1 in its entirety

And as amended, be concurred in. Motion failed. (15-72)

That SB 372, as amended, be not concurred in. (75-10)

Dussault moved that SB 525 be placed below HJR 63 on the Second Reading board this day. Motion carried.

That SA to HB 760 be concurred in. (78-3)

That Free CC on SB 76 be adopted. (92-0)

That Free CC on SB 412 be adopted. (88-2)

That SB 524 be concurred in. (88-3)

The Speaker asked the Sergeant-at-Arms to escort former Senator Joe Roberts and his distinguished party to the rostrum. Mr. Roberts then introduced M. Thomas Dooley, U.S. Department of Energy; Yuri Ksander, Dynatrend Incorporated; Mr. Michael Gnoutcheff, an interpreter with the U.S. State Department; and his wife, Lynn. Following the introductions, Mr. Roberts introduced Academician Aleksandr E. Sheindlein, Director of the Institute of High Temperatures of the U.S.S.R. Academy of Sciences.

The House stood at ease at 2:25 p.m. while Mr. Sheindlein spoke to the members.

House reconvened at 2:39 p.m.

Lund excused at this time.

Conroy moved that SA to HB 848 be referred to the Committee on Rules. Chair ruled the motion out of order. Waldron then moved that SA to HB 848 be placed at the bottom of the Second Reading board this day. Motion failed.

That SA to HB 848 be not concurred in. (62-31)

Dussault moved that HJR 63 be placed below SB 525 on the Second Reading board this day. Motion carried.

That SB 525 be not concurred in. (86-1) Constitutional Amendment automatically proceeds to Third Reading.

That HJR 63 do pass. (76-9)

That the Committee rise and report and beg leave to sit again. (Teague, Chairman). Teague moved that the committee report be deemed read. Motion carried. Report adopted. (73-10)

MOTIONS

Cooney moved that his vote be changed from aye to nay on the Conference Committee Report on Senate Amendments to HB 848 on Second Reading this day. Motion carried.

Ramirez moved that Marks' vote be recorded as aye on Fabrega's amendment to HB 525 on Second Reading this day. Motion carried.

Lory moved that Senate Amendments to HB 84 be placed on Second Reading this day. Motion carried.

Dussault moved that the Conference Committee on Senate Amendments to HB 63 be dissolved and the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on HB 63. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Amendments to House Bill No. 760 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, McBride, Magone, Manning, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Seifert, Shelden, Sivertsen, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 86

Noes: None.
Total 0

Excused: Lund.
Total 1

Absent or not voting: Brand, Conroy, Kanduch, Lien, Manuel, Marks, Quilici, Roth, Scully, Smith, South, Vinger, Waldron.
Total 13

Free Conference Committee Report on Senate Bill No. 76 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, McBride, Magone, Manning, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: None.
Total 0

Excused: Lund.
Total 1

Absent or not voting: Brand, Conroy, Kanduch, Lien, Manuel, Marks, Quilici, Scully, South, Vinger, Waldron.
Total 11

Free Conference Committee Report on Senate Bill No. 412 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, McBride, Magone, Manning, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 85

Noes: Ellis, K. Robbins, Roth.
Total 3

Excused: Lund.
Total 1

Absent or not voting: Brand, Conroy, Kanduch, Lien, Manuel, Marks, Quilici, South, Stobie, Vinger, Waldron.
Total 11

Senate Bill No. 524 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, McBride, Magone, Manning, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert,

Shelden, Sivertsen, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Williams, Wyrick, Yardley, Mr. Speaker.
Total 85

Noes: Smith, Stobie, Wood.
Total 3

Excused: Lund.
Total 1

Absent or not voting: Brand, Conroy, Kanduch, Lien, Lory, Manuel, Marks, Quilici, South, Vinger, Waldron.
Total 11

Senate Bill No. 525 (Constitutional Amendment) was not concurred in by the following vote:

Ayes: Burnett, Daily, Eudaily, Johnson, Kvaalen, Menahan, Moore, Smith.
Total 8

Noes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Lory, McBride, Magone, Manning, Manuel, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 85

Excused: Lund.
Total 1

Absent or not voting: Conroy, Lien, Marks, Quilici, South, Vinger.
Total 6

House Joint Resolution No. 63 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Scully, Seifert, Shelden, Sivertsen, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Wyrick, Yardley, Mr. Speaker.
Total 81

Noes: Burnett, Hayne, Iverson, Jensen, Lory, Nathe, Roth, Sales, Smith, Stobie, Underdal.
Total 11

Excused: Lund.
Total 1

Absent or not voting: Conroy, Lien, Marks, Quilici, South, Vinger, Wood.

Total 7

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 4/19/79

Correctly enrolled - HB 150, HB 273, HB 507, HB 759, HB 770, HB 913.

Examined by the Sponsor and found to be correct - HB 150, HB 273, HB 507, HB 759, HB 770, HB 913.

Will be signed by the Speaker at 3:00 p.m., 4/19/79 - HB 150, HB 273, HB 507, HB 759, HB 770, HB 913.

REPORTS OF SELECT COMMITTEES

FREE JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 652
Report No. 1, April 19, 1979

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 652, met April 19, 1979, and considered:

1. Senate Committee on Judiciary amendments to the third reading copy, dated March 21, 1979.

We recommend that:

1. the House accede to the Committee amendment numbers 1, 2, and 3;

2. House Bill No. 652 be further amended as indicated in CLERICAL INSTRUCTION numbers 1 and 2;

3. the Conference Committee Report to House Bill No. 652 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 2, line 13.
Following: "less than"
Strike: "13"
Insert: "14"
Following: "offender is"
Strike: "both"

2. Page 2, lines 14 and 15.
Following: "victim"
Strike: "and at least 15 years old"

FOR THE HOUSE:

KEEDY
HAND
HEMSTAD

FOR THE SENATE:

LENSINK
TOWE
ANDERSON

MESSAGES FROM THE GOVERNOR

The Honorable William Mathers 4/19/79
President of the Senate
State Capitol
Helena, Montana 59601

The Honorable Harold Gerke

Speaker of the House
State Capitol
Helena, Montana 59601

Dear President Mathers and Speaker Gerke:

In accordance with the power vested in me as Governor under the laws and the Constitution of the State of Montana, I hereby return House Bill No. 868, "AN ACT TO PROVIDE A BATTERED SPOUSES AND DOMESTIC VIOLENCE GRANT PROGRAM ADMINISTERED BY THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES; PROVIDING A SOURCE OF FUNDING; PROVIDING AN APPROPRIATION; AND AMENDING SECTION 40-1-202, MCA," without my signature and recommend the enclosed amendment.

The bill amends Section 40-1-202, MCA, in order to increase the marriage license fee from $15 to $25. However, Section 2 of the bill provides that the marriage license fee is to be apportioned by disbursing one dollar to the county and fourteen to the general fund. $10 is not accounted for. Consequently, my amendment would provide that all of the money remaining after payment of $1 to the county should go to the general fund in order to pay for the program provided in the legislation.

I hope you will concur in my amendment.

Sincerely,

Thomas L. Judge
Governor

PROPOSED AMENDMENT TO HOUSE BILL NO. 868

1. Page 1, line 21.
Following: "and"
Strike: "$14"
Insert: "$24"

The Honorable William Mathers 4/19/79
President of the Senate
State Capitol
Helena, Montana 59601

The Honorable Harold Gerke
Speaker of the House
State Capitol
Helena, Montana 59601

Dear President Mathers and Speaker Gerke:

Pursuant to authority granted the Governor under Article VI, Section 10 of the Montana Constitution, I am hereby returning to you with suggested amendments House Bill 842, "AN ACT TO PERMIT THE REALLOCATION AND APPROPRIATION OF WATER RESERVED FOR PURPOSES OF MAINTAINING IN-STREAM FLOW, LEVEL, OR QUALITY OF WATER; LIMITING MINIMUM FLOW RESERVATIONS; CLARIFYING THE METHOD OF APPROPRIATION OF CERTAIN RESERVED WATER; AMENDING SECTION 85-2-316, MCA; PROVIDING AN EFFECTIVE DATE."

The original purpose of House Bill 842 as introduced in the House and as expressed in the title was to clarify the authority of the Board of Natural Resources and Conservation to reallocate water reserved by the Board

to maintain an instream flow. This is a laudable purpose, and one which I fully support. Such authority will allow the Board to make adjustments in the instream flows recently reserved by the Board in the Yellowstone Basin. As finally adopted, however, several amendments were made to the bill which, in my opinion, will considerably confuse the administration of water reservations and other water rights, cause uncertainty for water reservants, and lead to costly litigation.

Specifically, I object to the following provisions of House Bill 842:

(1) Subsection (10) of 85-2-316 implements the original purpose of the bill. However, as finally adopted, this provision is too open ended. The Board could reallocate all water reserved for instream purposes to permittees for other purposes. Certainly this is not intended by the Legislature. Furthermore, in my view, allowing the Board to reallocate water to future permittees is extremely unwise. This aspect of the bill will create an administrative nightmare, involve the Board in permit decisions which are properly the role of the Department, and potentially result in a complete degradation of an instream flow after it is reserved. This subsection also provides that the priority date changes when water is reallocated to another use. The priority date should remain the same, as specified in the bill when it was amended by the Senate. To provide for a loss of a reservation's original priority date upon reallocation would mean loss of a principal purpose of water reservations, that being Montana's ability to lay legal claim to water needed for Montana's future use. Under the bill as finally adopted, a use in a downstream state junior to the original reservation priority date, but senior to the reallocation date would be made senior to the reallocated reservation, and jeopardize Montana's legal position in laying claim to Montana's water for Montana's use;

(2) Subsection (11) establishes a priority system for reallocated reservations. How this priority system will work is unclear. Apparently, reallocated reservations will take on a new priority date in accordance with the priority established. Again, as stated above, I believe it is unwise, and probably unconstitutional, to fix new priority dates on reallocated waters. Furthermore, this priority system conflicts with the priority system now established in the Water Use Act for permit applications, creating further confusion;

(3) New subsection (7) of 85-2-316, MCA, is unwieldly and imposes additional duties on the Department of Natural Resources and Conservation for which it has no funds or staff. It requires that persons desiring to use water reserved to a conservation district must inform the Department of such uses. The conservation district itself should so inform the Department, as it is already required to do by the Board's order reserving water in the Yellowstone Basin. Furthermore, the requirement that the Department be responsible for rendering all technical and administrative assistance in the processing of applications for the conservation districts will impose a burden on the Department for which it is ill-equipped to handle with current staff and funding. The districts themselves, with limited assistance from the Department, should carry out this function since they are the entities that applied for and received reservations of water.

In summary, House Bill 842 contains several provisions which considerably confuse the administration of water reservations. Accordingly, I have

attached hereto proposed amendments which will delete or amend these provisions, and make the bill considerably more workable.

Sincerely,

Thomas L. Judge
Governor

GOVERNOR'S AMENDMENTS TO HOUSE BILL NO. 842,
REFERENCE BILL
INCLUDING FREE JOINT CONFERENCE COMMITTEE REPORT
DATED 4/10/79

1. Title, line 7.
Following: "MINIMUM"
Strike: "IN-STREAM"
Insert: "MINIMUM"

2. Title, lines 12 and 13.
Following: "~~RESERVATIONS;~~"
Strike: "CLARIFYING THE METHOD OF APPROPRIATION OF CERTAIN RESERVED WATER;"

3. Page 4, line 15.
Following: line 14
Insert: "shall make application for such use with the district, and the district upon approval of the application"

4. Page 4, line 16.
Strike: "DESIRED"
Insert: "approved"

5. Page 4, line 18.
Following: "rendering"
Strike: "all"

6. Page 4, line 19.
Following: "assistance"
Insert: "within the department's staffing and budgeting limitations"

7. Page 4, line 23.
Following: "~~district~~."
Strike: "NO SUCH USE MAY BE PERMITTED WITHOUT CONSERVATION DISTRICT'S CONCURRENCE."

8. Page 5, lines 13 through 15.
Following: "section"
Strike: "or who is eligible for a permit to appropriate water under this part"

9. Page 5, lines 20 through 23.
Following: "reservant."
Insert: "Reallocation of reserved water shall not adversely affect the priority date of the reservation, and the reservation shall retain its priority date despite reallocation to a different entity for a different use."

10. Page 6, lines 1 through 3.
Following: "YEARS."
Strike: the remainder of lines 1 through 3 in their entirety

11. Page 6, lines 4 through 11.
Following: line 3
Strike: subsection (11) in its entirety
Renumber: subsequent subsection

MESSAGES FROM THE OTHER HOUSE

House Bills not concurred in and returned to the House: 4/19/79

House Bill No. 542, introduced by Tropila, Ryan, Hemstad, Fabrega, Moore, et al

House Bill No. 902, introduced by Conroy

House Joint Resolutions concurred in and returned to the House: 4/18/79

House Joint Resolution No. 66, introduced by Nordtvedt, Hirsch, Lien, et al

House Joint Resolution No. 67, introduced by Underdal, Kolstad, Aklestad, et al

House Joint Resolution No. 68, introduced by Bardanouve, Mathers, Gerke, et al

House Bill No. 915, introduced by the Taxation Committee, requiring adoption by an affirmative roll call vote of two-thirds of all members of the Legislature, passed by the Senate and returned to the House for concurrence in Senate Amendments with the following vote: 4/18/79

SENATE	HOUSE OF REPRESENTATIVES
YEAS - 37	YEAS - 78
NAYS - 11	NAYS - 17

MOTIONS

Dussault moved that the Speaker be authorized to appoint a Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to HB 848. Motion carried. The Speaker appointed the following members:

Menahan, Chairman
Quilici
Sivertsen

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time and referred to committee:

HB 926, introduced by Daily, Pavlovich, Menahan, Kanduch, Harrington, Cooney, McBride, Quilici. Referred to Committee on Appropriations.

UNFINISHED BUSINESS

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on House Bill 63:

Dassinger, Chairman
Huennekens
Sivertsen

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to House Bill 848:

Menahan, Chairman
Quilici
Sivertsen

House recessed at 3:45 p.m.

House reconvened at 5:03 p.m.

COMMUNICATIONS AND PETITIONS

Mrs. Martha McGee
Chief Clerk
House of Representatives

4/19/79

Dear Mrs. McGee:

I have this day appointed the following Representatives to serve on the Legislative Finance Committee:

Representative Carroll South

Representative Francis Bardanouve

Representative Ann Mary Dussault

Representative Jack Moore

Representative Art Lund

Representative Gene Donaldson

Sincerely,

Harold E. Gerke
Speaker

MESSAGES FROM THE GOVERNOR

The Honorable Harold Gerke
Speaker, House of Representatives
State Capitol
Helena, Montana 59601

4/19/79

Dear Mr. Speaker:

This is to inform you that I have signed the following measure this date:

House Bill No. 908.

Sincerely,

Thomas L. Judge
Governor

MESSAGES FROM THE OTHER HOUSE

House Bills concurred in as amended and returned to the House for concurrence in Senate Amendments: 4/18/79

House Bill No. 646, introduced by Fabrega, Nordtvedt

House Bill No. 649, introduced by Kemmis, Kessler, Fagg, et al

House Bill No. 873, introduced by Fabrega, Huennekens

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Vincent moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Teague in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SA to HB 84 be concurred in. (58-7)

Hirsch moved that SA to HB 915 be moved to the bottom of the Second Reading board. Motion carried.

That Free CC on HB 652 be adopted. (69-0)

That SA to HB 646 be concurred in. (74-1)

That SA to HB 649 be not concurred in. (76-6)

That SA to HB 873 be concurred in. (77-10)

That SA to HB 915 be concurred in. (87-0)

That the Committee rise and report. (Teague, Chairman). Teague moved that the Committee of the Whole Report be deemed read. Motion carried. Report adopted. (82-3)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Amendments to House Bill No. 84 were concurred in by the following vote:

Ayes: Anderson, Baeth, Bengtson, Bennett, Bertelsen, Brand, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, McBride, Magone, Manning, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Seifert, Shelden, Sivertsen, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.
Total 82

Noes: Hemstad, Keedy, Roth.
Total 3

Excused: Lund.
Total 1

Absent or not voting: Azzara, Bardanouve, Burnett, Conroy, Dussault, Lien, Manuel, Marks, Scully, Smith, South, Stobie, Wyrick, Yardley.
Total 14

Senate Amendments to House Bill No. 646 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, McBride, Magone, Manning, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt,

Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 87

Noes: Feda, Stobie.
Total 2

Excused: Lund.
Total 1

Absent or not voting: Bardanouve, Conroy, Dussault, Lien, Manuel, Marks, Roth, Smith, South, Yardley.
Total 10

Senate Amendments to House Bill No. 873 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, McBride, Manning, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick.
Total 83

Noes: Brand, Keedy, Magone, Reichert.
Total 4

Excused: Lund.
Total 1

Absent or not voting: Bardanouve, Conroy, Dussault, Iverson, Lien, Manuel, Marks, Roth, Smith, South, Yardley, Mr. Speaker.
Total 12

Senate Amendments to House Bill No. 915 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, McBride, Magone, Manning, Menahan, Metcalf, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 87

Noes: Burnett, Conroy.
Total 2

Excused: Lund.

Total 1

Absent or not voting: Bardanouve, Dussault, Feda, Lien, Manuel, Marks, Meyer, Smith, South, Yardley.
Total 10

Free Conference Committee Report on House Bill No. 652 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bengtson, Bennett, Bertelsen, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gould, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, McBride, Magone, Manning, Menahan, Metcalf, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 88

Noes: None.
Total 0

Excused: Lund.
Total 1

Absent or not voting: Bardanouve, Conroy, Dussault, Gilligan, Hand, Lien, Manuel, Marks, Smith, South, Yardley.
Total 11

MOTIONS

Daily moved that HB 926 be taken from the Committee on Appropriations and placed on Second Reading this day. Ramirez requested a ruling from the Chair on whether it was necessary to suspend the rules to go back to Second Reading. The Chair ruled that it would take a two-thirds vote on suspending the rules. Discussion followed. Menahan made a substitute motion that HB 926 be placed on Second Reading for the Ninetieth Legislative Day. Considerable discussion followed. Gould moved the previous question. Motion carried. Menahan then withdrew his motion.

Kemmis moved that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on HB 649. Motion carried. The Speaker appointed the following members:

Kemmis, Chairman
McBride
Fabrega

REPORTS OF STANDING COMMITTEES

Do Pass

APPROPRIATIONS (Bardanouve, Chairman): 4/19/79
SJR 11, be concurred in. Report adopted.

Adverse Committee Reports

APPROPRIATIONS (Bardanouve, Chairman): 4/19/79
HJR 70, do not pass.

Dussault moved that the House adjourn until 8:30 a.m., April 20, 1979.

Motion carried.

House adjourned at 5:36 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

NINETIETH LEGISLATIVE DAY

Helena, Montana
April 20, 1979

House Chambers
Capitol Building

House convened at 8:30 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Dassinger, Ellerd, Frates, Lund, Marks, Metcalf, Meyer, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Eighty-sixth, Eighty-seventh, Eighty-eighth and Eighty-ninth Legislative Days, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 4/20/79

Signed by the Speaker, 4/19/79 - HB 150, HB 248, HB 273, HB 303, HB 365, HB 386, HB 507, HB 508, HB 759, HB 768, HB 770, HB 894, HB 913, HJR 39, HJR 61.

Adverse Committee Reports

APPROPRIATIONS (Bardanouve, Chairman): 4/19/79
HB 926, introduced bill, be amended as follows:

1. Title, line 4.
Following: "APPROPRIATING"
Insert: "ADDITIONAL"

2. Title, lines 6 and 7.
Following: line 5
Strike: "ADEQUATELY FUND SKILLED NURSING AND INTERMEDIATE CARE SERVICES UNDER"

3. Line 10.
Following: "appropriated"
Strike: "$2.3"
Insert: "$1.5"

4. Lines 13 and 14.
Following: "purpose of"
Strike: "adequately"
Following: "funding"
Strike: "skilled nursing and intermediate care services"
Insert: "the state medicaid program"

And as amended, do not pass.

Harrington, Cooney, McBride, Daily, Dozier, Quilici, Kanduch, Manning, Magone objected that HB 926 was reported out of committee with a do not pass recommendation and requested that the bill be referred to Second Reading.

MESSAGES FROM THE OTHER HOUSE

The Senate on 4/13/79, on motion duly carried, moved the Free Conference Committee Report on Senate Bill No. 170 from Third Reading back to committee.

The Senate on 4/19/79, dissolved the New Free Conference Committee on Senate Bill No. 217 and appointed another New Free Conference Committee to meet with a like committee from the House to confer on Senate Bill No. 217.

The President appointed the following members:

Senator Turnage, Chairman
Senator B. Brown
Senator Van Valkenburg

The Senate on 4/19/79, dissolved the New Free Conference Committee on Senate Bill No. 170 and appointed another New Free Conference Committee to meet with a like committee from the House to confer on Senate Bill No. 170.

The President appointed the following members:

Senator Rasmussen, Chairman
Senator Towe
Senator Hager

House Amendments to Senate Bills concurred in: 4/19/79

House Amendments to Senate Bill No. 67, introduced by Manley, et al

House Amendments to Senate Bill No. 182, introduced by Thiessen, et al

House Amendments to Senate Bill No. 384, introduced by Boylan, et al

House Amendments to Senate Bill No. 463, introduced by Kolstad, Dussault, et al

House Amendments to Senate Bill No. 508, introduced by Manley

House Amendments to Senate Bill No. 523, introduced by Senate Natural Resources Committee (Roskie, Chairman)

Senate Joint Resolution passed and transmitted to the House for concurrence: 4/19/79

Senate Joint Resolution No. 37, introduced by Stephens, et al

House Bill concurred in and returned to the House: 4/19/79

House Bill No. 417, introduced by Bardanouve

House Bill concurred in as amended and returned to the House for concurrence in Senate Amendments: 4/18/79

House Bill No. 844, introduced by Meyer

The Senate on 4/19/79, failed to concur in House Amendments to Senate Bill No. 99 and appointed a Free Conference Committee to meet with a like committee from the House to confer on Senate Bill No. 99. The Senate requested that the House of Representatives appoint a like committee.

The President appointed the following members:

Senator Turnage, Chairman
Senator Mehrens
Senator Goodover

The Senate on 4/19/79, acceded to the request of the House of Representatives and appointed a Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 692.

The President appointed the following members:

Senator Himsl, Chairman
Senator Nelson
Senator Regan

The Senate on 4/19/79, acceded to the request of the House of Representatives and appointed a Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 63.

The President appointed the following members:

Senator Lockrem, Chairman
Senator Towe
Senator Goodover

The Senate on 4/19/79, acceded to the request of the House of Representatives and appointed a Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 547.

The President appointed the following members:

Senator McCallum, Chairman
Senator B. Brown
Senator Blaylock

The Senate on 4/19/79, dissolved the Free Conference Committee on House Bill No. 416 and appointed a New Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 416.

The President appointed the following members:

Senator Himsl, Chairman
Senator Van Valkenburg
Senator Nelson

The Senate on 4/19/79, acceded to the request of the House and appointed a Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 639.

The President appointed the following members:

Senator Severson, Chairman
Senator Graham
Senator Manley

The Senate on 4/19/79, dissolved the Conference Committee on House Bill No. 652 and appointed a Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 652.

The President appointed the following members:

Senator Lensink, Chairman
Senator Towe
Senator Anderson

MOTIONS

Dussault moved that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on SB 99. Motion carried.

Dussault moved that the Governor's Amendments to HB 842, HB 868 be placed on Second Reading this day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate joint resolution was introduced, read first time and referred to committee:

SJR 37, introduced by Stephens, Blaylock, Graham, E. Smith, Kolstad.
Referred to Committee on Rules.

UNFINISHED BUSINESS

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on HB 639:

Lien, Chairman
Conroy
Thoft

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on SB 99:

Tropila, Chairman
K. Robbins
Fabrega

REPORTS OF SELECT COMMITTEES

JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 639
Report No. 1, April 19, 1979

Dear Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 639, met April 19, 1979, and considered:

1. Senate Committee on Taxation amendments to the third reading copy, dated April 17, 1979.

We recommend that:

1. the Senate recede from Committee amendment numbers 1, 7, 9, 16, and 17, and the House accede to Committee amendment numbers 2 through 6, 8, and 10 through 15;

2. House Bill No. 639 be further amended as indicated in CLERICAL INSTRUCTION numbers 2, 3, 5, 6, 8 through 17, 19, and 21;

3. the reference (engrossed) copy of House Bill No. 639 read as specified in the CLERICAL INSTRUCTIONS;

4. the Conference Committee Report to House Bill No. 639 be adopted.

CLERICAL INSTRUCTIONS:

1. Title, lines 7 and 8.
Following: "LIVESTOCK"
Strike: "BY ALLOWING OWNERS TO CHOOSE THE METHOD OF ASSESSMENT"

2. Page 3.
Following: line 13
Insert: "SECTION 2. SECTION 15-24-903, MCA, IS AMENDED TO READ:

'15-24-903. Duty of owner to assist in assessment. (1) The owner of livestock, as defined in 15-24-901, or his agent, at the time of assessment shall make and deliver to the department of revenue or its agent in the county or counties where his livestock were located since the last assessment date, a written statement, under oath, showing the different kinds of his livestock within the county or counties belonging to him or under his charge, with their marks and brands, and showing the times during that period that his livestock were within the county or counties.

(2) As used in this section, "agent" means any person, persons, company, or corporation, including a feedlot operator or owner of grazing land, who has charge of livestock on the assessment date.'"
Renumber: subsequent sections

3. Page 4, line 1.
Following: "livestock"
Insert: "that are assessed on the method provided in [section 10(1)(a)]"

4. Page 4, lines 4 through 25.
Following: line 3
Strike: subsection (2) in its entirety
Renumber: subsequent subsections

5. Page 5, line 5.
Following: "When livestock"
Insert: "that are assessed on the method provided in [section 10(1)(a)]"

6. Page 6, line 23.
Following: "~~January~~"
Strike: "MARCH"
Insert: "January"

7. Page 8, line 2.
Following: "~~March 1~~"
Strike: "THE ASSESSMENT DATE"

8. Page 8, line 2.
Following: "~~DATE~~"
Insert: "the last day of any month if assessed on the average inventory basis or on March 1 if assessed as provided in [section 10(1)(a)]"

9. Page 8, line 16 through line 4 on page 9.
Following: "~~The~~"
Strike: remainder of line 16 through "THE" on line 4, page 9
Insert: "(1) The department of revenue or its agent must assess all livestock on the average inventory basis as provided in 15-24-908 through 15-24-910 unless:

(a) the owner elects to have his livestock assessed on March 1 of each year as provided in (4); and

(b) the assessor of the county in which the cattle are located on assessment date accepts this election.

(2) The owner shall file his election with the county assessor on the statement required in 15-24-903.

(3) The county assessor shall accept the owner's election unless he determines that the election is made to evade property taxation.

The livestock owner may appeal the assessor's decision to the county tax appeal board and the state tax appeal board under the procedures established in Title 15, chapter 15, part 1, and chapter 2, part 3.

(4) If an owner chooses the method of assessment provided in (1)(a), the"

10. Page 9, line 14.
Following: "the"
Strike: "owner selects an"
Insert: "owner's livestock are assessed on the"

11. Page 9, lines 20 and 21.
Following: "(2)"
Strike: "On the last day of the year in which the estimate is made, the"
Insert: "The"

12. Page 9, line 21.
Following: "statement"
Insert: "as of the last day of the year"

13. Page 10, line 12.
Following: "taxpayer"
Strike: "who selects"
Insert: "whose livestock are assessed on"

14. Page 11.
Following: line 8
Insert: "(2) If there is an increase in the assessed value as a result of the correction, the assessor shall make an additional assessment on the increase and the tax shall be collected as provided in 15-16-113."
Renumber: subsequent subsections

15. Page 12, line 8.
Following: "treasurer"
Strike: "shall"
Insert: "may, at the discretion of the county governing body,"

16. Page 12, line 9.
Following: "deposit"
Insert: "up to"

17. Page 12, line 17.
Following: "livestock"
Insert: "assessed on the average inventory basis"

18. Page 12, lines 22 and 23.
Following: "6"
Strike: "3, 4, 5, AND 13"
Insert: "4 through 6"

19. Page 12, line 23.
Following: "6"
Insert: "and 10"

20. Page 12, line 26.
Following: "6"
Strike: "3, 4, 5, AND 13"
Insert: "4 through 6"

21. Page 12, line 26.
Following: "6"
Insert: "and 10"

FOR THE HOUSE:

LIEN
CONROY
THOFT

FOR THE SENATE:

SEVERSON
GRAHAM
MANLEY

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Scully in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SJR 11 be concurred in. (63-19)

Dassinger, Lund present at this time.

That GA to HB 842 be adopted. (83-4)

That GA to HB 868 be rejected. (79-5)

That Free CC on HB 639 be adopted. (82-0)

That the Committee rise and report and beg leave to sit again. (Scully, Chairman). Scully moved that the committee report be deemed read. Motion carried. Report adopted. (86-0)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Joint Resolution No. 11 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Moore, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, H. Robbins, Rosenthal, Roth, Scully, Shelden, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 72

Noes: Brand, Burnett, Curtiss, Ellison, Hayne, Hemstad, Iverson, Kropp, Nathe, Nordtvedt, K. Robbins, Sales, Schultz, Seifert, Smith, Stobie, Underdal, Wyrick.
Total 18

Excused: Ellerd, Lund, Marks, Metcalf, Meyer.
Total 5

Absent or not voting: Fabrega, Johnson, Ramirez, Reichert, Sivertsen.

Total 5

Governor's Amendments to House Bill No. 842 were adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 86

Noes: Burnett, Conroy, Keyser, Underdal.
Total 4

Excused: Ellerd, Lund, Marks, Metcalf, Meyer.
Total 5

Absent or not voting: Fabrega, Johnson, Ramirez, Sivertsen, Waldron.
Total 5

Free Conference Committee Report on House Bill No. 639 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.
Total 90

Noes: None.
Total 0

Excused: Ellerd, Lund, Marks, Metcalf, Meyer.
Total 5

Absent or not voting: Fabrega, Johnson, Ramirez, Waldron, Yardley.
Total 5

MESSAGES FROM THE OTHER HOUSE

The Senate on 4/19/79, acceded to the request of the House of Representatives and appointed a Free Conference Committee on House Bill No. 649 to meet with a like committee from the House.

The President appointed the following members:

Senator Goodover, Chairman
Senator B. Brown

Senator Towe

Conference Committee Reports adopted: 4/19/79

Free Conference Committee Report No. 1 on Senate Bill No. 412

Joint Conference Committee Report No. 1 on House Joint Resolution No. 51

Free Conference Committee Report No. 1 on House Bill No. 652

Conference Committee Reports adopted: 4/19/79

Free Conference Committee Report No. 1 on Senate Bill No. 76

Joint Conference Committee Report No. 1 on House Bill No. 432

Free Conference Committee Report No. 1 on House Bill No. 916

House at ease at 9:01 a.m.

House reconvened at 10:05 a.m.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 4/20/79

Correctly enrolled - HB 9, HB 12, HB 84, HB 366, HB 436, HB 537, HB 819, HB 841, HB 851, HB 891, HB 896, HB 921, HJR 58, HJR 66, HJR 67, HJR 68.

Examined by the Sponsor and found to be correct - HB 9, HB 12, HB 84, HB 366, HB 436, HB 537, HB 819, HB 841, HB 851, HB 891, HB 896, HB 921, HJR 58, HJR 66, HJR 67, HJR 68.

Will be signed by the Speaker at 8:45 a.m., 4/20/79- HB 9, HB 12, HB 84, HB 366, HB 436, HB 537, HB 819, HB 841, HB 851, HB 891, HB 896, HB 921, HJR 58, HJR 66, HJR 67, HJR 68, SB 106, SB 415, SJR 5.

Delivered to the Governor for his approval at 8:30 a.m., 4/20/79 - HB 150, HB 273, HB 386, HB 507, HB 508, HB 550, HB 643, HB 754, HB 759, HB 768, HB 770, HB 775, HB 894, HB 913, HB 919.

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE
ON HOUSE BILL NO. 416
Report No. 1, April 20, 1979

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 416, met April 20, 1979, and considered:

1. Senate Committee on Finance and Claims amendments, dated March 20, 1979.

We recommend that:

1. the House accede to all amendments;

2. the orange reference copy of House Bill No. 416 be amended as specified in the CLERICAL INSTRUCTIONS;

3. the Conference Committee Report to House Bill No. 416 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 2, line 23.
Strike: "600,000"
Insert: "1,100,000"

"The appropriation for emergency and disaster shall be distributed as follows:

a. 75 percent prorated among verified claims as of the effective date of this act.

b. 25 percent prorated among claims not fully paid above and claims received by June 30, 1979."

2. Page 3, line 22.
Strike: "50,000"
Insert: "100,000"

3. Page 4, line 14.
Strike: "2,555,834"
Insert: "3,105,834"

FOR THE HOUSE:

BARDANOUVE
MENAHAN
ELLIS

FOR THE SENATE:

HIMSL
NELSON
VAN VALKENBURG

FREE CONFERENCE COMMITTEE
ON HOUSE BILL NO. 483
Report No. 1, April 20, 1979

Mr. President and Speaker of the House:

We, your Free Conference Committee on House Bill No. 483, met April 16, 17, 18, and 19, 1979, and considered:

1. Senate Committee on Finance and Claims amendments to the third reading copy, dated April 5, 1979; and

2. Senate Committee of the Whole amendments to the gray-working bill as shown in the Senate Journal, dated April 7, 1979.

We recommend that:

1. the House accede to all Senate amendments;

2. the orange reference copy of House Bill No. 483 be amended as specified in the CLERICAL INSTRUCTIONS;

3. the Conference Committee Report to House Bill No. 483 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 2, line 25.
Following: "AN"
Strike: "UNANTICIPATED FUNDING NEED"
Insert: "emergency"

2. Page 5, line 14.
Following: "such contract"
Strike: "shall automatically"
Insert: "may be unilaterally terminated by the state"

Page 5, line 15.
Strike: "terminate"

3. Page 6, line 20.
Following: line 20
Insert: "Section 15. National conference of state legislatures. Agencies may participate in the activities and programs of the national conference of state legislatures within existing appropriations."
Renumber: subsequent sections

4. Page 9, line 9.
Strike: "150,000"
Insert: "125,000"

5. Page 9, line 17.
Strike: "747,745 919,502"
Insert: "809,745 981,502"

6. Page 9, line 19.
Following: line 19
Insert (numbers in general fund columns):
"7. Copying Machine Costs 11,000 11,000"

7. Page 9, line 19.
Following: line 19
Insert (numbers in general fund columns):
"8. Dues - National Conference of State Legislatures
19,180 21,100"

8. Page 10, line 20.
Strike: all of line 20
Insert (numbers in general fund column fiscal 1980):
"Senate 21,000
House 42,000"

"Total Legislature 63,000"

9. Page 10, line 21.
Following: "THE"
Strike: "APPROPRIATION PAYS"
Insert: "appropriations are for the biennium and pay"

10. Page 11, line 8.
Strike: "652,102 695,211"
Insert: "656,911 822,088"

11. Page 11, line 20.
Strike: "1,367,403 1,446,874"
Insert: "1,378,780 1,479,048"

12. Page 12, line 14.
Strike: "617,202 629,358"
Insert: "628,583 640,739"

13. Page 14, line 9.
Strike: "80,931 81,563"
Insert: "83,661 98,225"

14. Page 15, line 5.
Strike: all of lines 5 and 6
Insert: "630,022 10,143,437 1,123,952 10,209,158"

15. Page 15, line 16.

Following: line 16
Insert (numbers in other appropriated funds columns):
"6. Housing of prisoners 44,132 44,881"

16. Page 15, line 16.
Following: line 16
Insert (no numbers in general fund column fiscal 1981):
"7. Legal assistance pool 50,000 85,836 146,909"

17. Page 15, line 16.
Following: line 16
Insert (in other appropriated funds fiscal 1980):
"8. Forensic science laboratory 271,143"

18. Page 15, line 20.
Following: line 20
Insert: "Included within other appropriated funds in item 1 is $40,000 annually received under provisions of House Bill 513, forty-sixth legislature."

19. Page 15, line 20.
Following: line 20
Insert: "Other appropriated funds in item 7 consist of charges to other agencies for utilizing the legal assistance pool. In the amount these charges exceed $85,836 in fiscal 1980, a reversion shall be made to the general fund by January 1, 1981."

20. Page 15, line 20.
Following: line 20
Insert: "The appropriation in item 8 is for the biennium."

21. Page 16, line 15.
Following: "LAW"
Insert: ", including section 19-6-404 and House Bill 403, forty-sixth legislature"

22. Page 18, line 6.
Strike: "27,661,137 28,495,408"
Insert: "27,766,937 28,611,788"

23. Page 22, line 12.
Strike: "3,266,917 3,380,437"
Insert: "3,281,629 3,395,149"

24. Page 23, line 9.
Strike: "222,872 158,647"
Insert: "271,072 208,647"

25. Page 26, line 18.
Strike: "1,212,212 1,215,548"
Insert: "1,219,899 1,225,552"

26. Page 27, line 4.
Following: line 4
Insert: "Included within the general fund appropriations in item 1 are $7,687 and $10,004 in the respective fiscal years for the county compensation board created by Senate Bill 352, forty-sixth legislature."

27. Page 27, line 13.
Following: "STAFF."
Insert: "The appropriation to the coal board for grants may be spent only upon justification of each grant prior to its award to the budget

director and the legislative finance committee. Such justification shall be furnished at least four weeks prior to approval of a grant."

28. Page 29, line 14.
Strike: all of lines 14 and 16
Insert: "35,774,454 17,625,385 38,213,161 17,895,047"

29. Page 36, line 13.
Strike: all of lines 13 through 17

30. Page 41, line 3.
Strike: "918,902 1,469,661"
Insert: "1,348,902 2,569,661"

31. Page 41, line 10.
Strike: all of lines 10 and 11

32. Page 41, line 17.
Following: line 17
Insert: "The departments of natural resources and conservation, state lands, and fish and game shall consult with the legislative water resources oversight committee in expending any funds to implement the requirements of Senate Bill 76, forty-sixth legislative session.

Included in other appropriated funds in the biennium in item 4 is $1,430,000 from water rights adjudication fees and $100,000 from the renewable resource funds allocation under provisions of 15-35-108(g), notwithstanding any other provisions of law."

33. Page 42, line 5.
Strike: all of lines 5 through 8

34. Page 43, line 16.
Following: line 16
Insert (numbers in general fund column fiscal 1980):
"2. Special Audit 200,000"

35. Page 43, line 20.
Following: line 20
Insert: "The appropriation in item 2 funds the audit ordered by the commission in docket no. 6348, order no. 4220C, order paragraph no. 4. The appropriation may be spent only for determining the original cost of Montana Power Company's hydroelectic properties."

36. Page 47, line 23.
Strike: "478,173" and "478,173"
Insert: "560,053" and "560,053"

37. Page 47, line 25.
Strike: "Community"
Insert: "Alcohol and Drug"

38. Page 48, line 1.
Strike: "1,449,945" and "1,562,630"
Insert: "738,942" and "768,087"

39. Page 48, line 21.
Strike: "3,000,000"
Insert (numbers in fiscal 1980):
"2,339,606 1,660,394"

40. Page 49, line 11.
Strike: "Community Alcohol Programs"

Insert: "Alcohol Discretionary Allocation"

41. Page 49, line 14.
Strike: "806,844" and "906,244"
Insert: "382,661" and "404,618"

42. Page 49, line 16.
Following: line 16
Insert: "Alcohol Central Office Administration"
"81,880" "81,880"

43. Page 49, line 23.
Strike: all of lines 23 through 25 and lines 1 through 13, page 50
Insert: "The appropriations in item 7 are for the biennium. Other appropriated funds in item 7 consist of $1,000,000 from account number 06142, bond proceeds and insurance fund, and $660,394 of the renewable resource funds allocation under provisions of 15-35-108(g), notwithstanding any other provision of law. It is the intent of the legislature that these moneys be spent as follows, provided that budget amendments may be made to transfer between line items:

1. Additional 118 beds, state prison		$437,182
2. Halfway home contract, 20 beds		219,000
3. Establish work forest camp, stillwater state forest, 80 beds		
a. Operations	$75,674	
b. Equipment	250,923	
c. Construction	2,156,738	2,483,335
4. Transfer to department of natural resources for equipment and operational costs of the stillwater camp		551,394
5. Contingency for 40 temporary beds in institutional or community setting		309,089
Total additional correctional needs		$4,000,000

The department shall prepare a detailed plan for the expenditure of the appropriation in item 7 which shall be approved by the budget director prior to the expenditure of any funds. All construction plans shall be approved by the department of administration in the same manner as projects appropriated under provisions of House Bill 417, forty-sixth legislature. The department shall advise and consult with the legislative finance committee at least quarterly on the status of these projects."

44. Page 52, line 2.
Strike: all of lines 2 through 5

45. Page 52, line 10.
Strike: all of lines 10 through 12

46. Page 52, line 12.
Following: line 12
Insert: "The department shall implement a realistic rental policy to the end that housing rentals reflect increasing costs to the state."

47. Page 57, line 9.
Strike: all of line 9

48. Page 57, line 10.
Strike: "a."

49. Page 57, line 12.
Strike: "b."

50. Page 57, line 14.
Following: line 14
Insert: "Total Board of Public Education
189,154 3,750 189,807"

51. Page 57, line 14.
Following: line 14
Insert: "The board of public education shall be provided office space free of charge in the building leased by the state and paid from the appropriation to the commissioner of higher education. The fire service training school shall be provided office, classroom, and storage space in the Great Falls vocational-technical center at no charge."

52. Page 57, line 14.
Following: line 14
Insert: "SUPERINTENDENT OF PUBLIC INSTRUCTION, VOCATIONAL TECHNICAL CENTERS"

53. Page 57, line 15.
Strike: "2"
Insert: "1"
Renumber: subsequent items

54. Page 59, lines 9 and 10.
Strike: "Board of Public Education"
Insert: "Vocational-Technical Centers"

55. Page 59, line 11.
Strike: all of lines 11 and 13
Insert: "3,593,896 2,393,059 3,797,131 2,544,072"

56. Page 59, line 14.
Strike: all of lines 14 through 19

57. Page 59, line 20.
Strike: "board of public education"
Insert: "superintendent of public instruction"

58. Page 60, line 22.
Strike: all of lines 22 and 23

59. Page 61, line 11.
Strike: all of lines 11 through 14

60. Page 61, line 18.
Strike: "21,674,000 19,914,000"
Insert: "24,276,875 25,156,875"

61. Page 64, line 13.
Following: line 13
Insert: "The general fund appropriation shall be reduced in the amount of funds received under provisions of 15-35-108."

62. Page 74, line 6.
Following: line 6
Insert: "Included within the appropriations to the university of Montana are $273,534 and $337,771 in the respective fiscal years which may be used only for expenses related to organized research and may not be used to supplement the instructional budget. The university shall account for these amounts with a unique budget and appropriation number in the state accounting system."

63. Page 80, line 4.
Following: line 4
Insert (numbers in other appropriated funds):
"6. Groundwater and aquifer study 55,000 55,000"

64. Page 80, line 6.
Following: line 6
Insert: "The appropriations in item 6 are from the renewable resource funds allocation under provisions of 15-35-108(g), notwithstanding any other provisions of law."

65. Page 80, line 10.
Strike: "1,034,844 1,187,206"
Insert: "1,016,119 1,167,356"

66. Change all totals to conform.

FOR THE HOUSE:
BARDANOUVE
LUND
MANUEL

FOR THE SENATE:
LOCKREM
FASBENDER
STORY

EXPLANATION OF CONFERENCE COMMITTEE REPORT ON HOUSE BILL 483

1. Allows a budget amendment from earmarked revenues only in case of an emergency;

2. changes language to allow the state to terminate a contract in instances where access to information is not provided;

3. allows agencies to participate in activities of the national conference of state legislatures;

4. reduces interim studies from $150,000 to $125,000;

5. adds $62,000 general fund per year for legislative council personal services;

6. adds in $11,000 general fund annual line item for copying machine costs;

7. reinstates NCSL dues of $40,280 general fund in the biennium;

8. reduces costs of legislator health insurance from $90,000 to $63,000 and line items the amounts by house;

9. indicates that the health insurance appropriation is for the biennium;

10. adds pay increases for justices of the supreme court, court clerk and costs of two new justices in fiscal 1981;

11. adds pay increases for district judges and increased costs of a new judgeship;

12. reinstates an attorney position in the office of budget and program planning;

13. reinstates $19,392 general fund removed from the office of campaign commissioner in Senate;

14. amends department of justice to coordinate with House Bills 513 and 886 and Senate Bills 271 and 708. A total of $46,800 of general fund is added to reclassify lawyers.

15. adds $25,000 annually of other funds for housing prisoners pursuant to S.B. 760;

16. and 19. adds a line item and relevant language to establish a self-supporting legal assistance pool;

17. and 20. adds a line item of other funds to support a forensic laboratory;

18. adds language to coordinate with H.B. 513;

21. clarifies legislative intent on funding highway patrol costs from highway earmarked revenue;

22. adds $211,600 highway funds in the biennium for sign maintenance pursuant to H.B. 380;

23. adds $14,712 general fund per year for one added FTE in the personnel division;

24. adds $98,200 to state tax appeals board for hearings officers;

25. and 26. adds $7,687 and $10,004 to general fund for the county compensation board;

27. adds similar language as was contained in 1977 General Appropriations Act requiring coal board to report grants prior to award;

28. the amendment to SRS restores the veterans' affairs division to current levels and adds $102,300 for higher day care rates;

29. strikes obsolete language pertaining to the aircraft pool;

30. and 32. adds $1,530,000 in the biennium of other funds to implement the provisions of S.B. 76;

31. and 33. eliminate the Daly ditch appropriation;

34. and 35. reinstates the Montana Power Company audit at a $200,000 general fund level;

36. - 38. and 40. - 42. coordinate with H.B. 844 relating to alcoholism treatment money;

39. and 43. makes the appropriation for correctional needs more specific, appropriates an additional $1 million of building funds and offsets general fund of $660,394 with renewable resource money;

44. eliminates requirement that the crime board allocate funds for shelter care;

45. and 46. amends the language concerning rental rates for housing at the institutions;

47. - 57. changes format to place the appropriations to vocational-technical centers under the superintendent of public instruction;

58. and 59. eliminate $250,000 general fund for the "gifted and talented children" program;

60. adds $7,845,750 general fund which is necessary to fully fund the foundation program;

61. adds language to offset the general fund appropriation with coal funds;

62. itemizes organized research at the university of Montana;

63. and 64. adds $110,000 in the biennium of renewable resource money to the bureau of mines for groundwater studies;

65. allows only one additional county extension agent instead of four added in senate.

FREE JOINT CONFERENCE COMMITTEE
ON SENATE BILL NO. 99
Report No. 1, April 20, 1979

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on Senate Bill No. 99, met April 19, 1979, and considered:

1. House Committee on Taxation amendments to the third reading copy, dated April 16, 1979; and

2. House Committee of the Whole amendments to the third reading copy, dated April 18, 1979.

We recommend that:

1. the Senate accede to the Standing Committee amendment numbers 2, 3, 4, 5, 6, and 7;

2. the Senate accede to the Committee of the Whole amendment numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11;

3. Senate Bill No. 99 be further amended as indicated in CLERICAL INSTRUCTION numbers 1 through 6;

4. the Statement of Intent, reference copy, be further amended as indicated in CLERICAL INSTRUCTION numbers 7 and 8;

5. the reference copy of Senate Bill No. 99 read as specified in the CLERICAL INSTRUCTIONS;

6. the Free Conference Committee Report to Senate Bill No. 99 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 8, lines 17 through 20.
Following: "public."
Strike: remainder of line 17 through line 20 in their entirety

2. Page 10, lines 1 through 7.
Following: line 25 on page 9
Strike: section 6 in its entirety
Renumber: subsequent sections

3. Page 19, line 16.
Following: "wine the"
Insert: "tax and"

4. Page 19, lines 18 and 19.
Following: "may"
Strike: ", upon petition, notice, opportunity for hearing, and making of findings,"

5. Page 19, line 17 through line 11 on page 20.
Following: "DISTRIBUTION."
Strike: "(1)"
Following: line 22 on page 19

Strike: subsections (2) and (3) in their entirety

6. Page 20.
Following: line 11
Insert: "SECTION 11. THERE IS A NEW MCA SECTION THAT READS:

Department prohibited from engaging in unfair competition. (1) The department in engaging in the retail sale of table wine is subject to the provisions of Title 30, chapter 14, parts 1 and 2, except those provisions relating to enforcement and penalties.

(2) A person aggrieved by a violation of this section by the department may maintain an action to enjoin the alleged violation and for the recovery of damages in the district court of the district where the conduct complained of occurred or where the department's principal office is located.

SECTION 12. Transition period. (1) In order to make an orderly transition to the wine marketing policies set forth in Initiative 81 and [this act], the department shall, prior to July 1, 1979:

(a) issue licenses or temporary authorizations to distribute or retail wine to applicants who qualify under the provisions of Initiative 81 and [this act]; and

(b) authorize licensed wine distributors to import and, during the last 20 days of June 1979, distribute to licensed wine retailers, stocks of table wine that may not be sold to the public prior to July 1, 1979.

(2) The department may adopt temporary rules under 2-4-303 to implement Initiative 81 and [this act] without being required to find an imminent peril to public health, safety, or welfare.

SECTION 13. Effective date. (1) Sections 1 through 11 of this act are effective on July 1, 1979.

(2) Section 12 of this act is effective on passage and approval."

7. Page 2, lines 13 through 16.
Following: "STATE."
Strike: remainder of line 13 through line 16 in their entirety

8. Page 2.
Following: line 16
Insert: "Section 12 of the bill allows the department to adopt temporary rules in order to make an orderly transition to the new wine-marketing policies. Rules that can be anticipated include rules regarding the issuance of temporary authorization to distribute and retail table wine and procedures allowing distributors and retailers to make table wine available under the new system on July 1, 1979.

The rulemaking authority granted in section 12 is not an expansion of the rulemaking authority granted to the department in section 8, but is only to provide for an orderly transition."

FOR THE HOUSE:

TROPILA
FABREGA
K. ROBBINS

FOR THE SENATE:

TURNAGE
MEHRENS
GOODOVER

FREE CONFERENCE COMMITTEE
ON SENATE BILL NO. 170
Report No. 3, April 20, 1979

Mr. President and Speaker of the House:

We, your Free Conference Committee on Senate Bill No. 170, met on April 20, 1979, and considered:

1. House Committee of the Whole amendments, dated March 5, 1979, third reading copy; and

2. House Committee of the Whole amendments, dated March 7, 1979, third reading copy.

We recommend that:

1. the House recede from Committee of the Whole amendments, dated March 5, 1979, numbers 1 and 2;

2. the House recede from Committee of the Whole amendments, dated March 7, 1979, numbers 1 and 3 and the Senate accede to Committee of the Whole amendment number 2;

3. the reference copy of Senate Bill No. 170 read as specified in the CLERICAL INSTRUCTIONS;

4. the Free Conference Committee Report to Senate Bill No. 170 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 2, lines 7 through 9.
Following: "13-38-103."
Strike: remainder of lines 7 through 9 in their entirety
Insert: "This section does not apply to the lists of registered electors and the new voter lists provided for in 13-2-115 and 13-38-103, nor to lists of the names of employees governed by Title 39, chapter 31, MCA."

2. Page 2, lines 18 through 20.
Following: "~~REGISTRATION~~"
Strike: remainder of lines 18 through 20 in their entirety
Insert: "This section does not apply to the right of access either by Montana law enforcement agencies or, by purchase or otherwise, of public records dealing with motor vehicle registration."

FOR THE HOUSE:	FOR THE SENATE:
DASSINGER	RASMUSSEN
OBERG	TOWE
ELLLERD	HAGER

MESSAGES FROM THE OTHER HOUSE

House Joint Resolution not concurred in and returned to the House:
4/20/79

House Joint Resolution No. 69, introduced by Palmer, Waldron, Moore, Nordtvedt, et al

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Scully in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Ellerd, Fagg excused at this time.

Meyer present at this time.

That Free CC on HB 416 be adopted. (59-32)

That Free CC on HB 483 be rejected. (63-27)

That Free CC on SB 99 be adopted. (80-6)

That Free CC on SB 170 be adopted. Motion failed. (25-64)

That SA to HB 844 be concurred in. (82-12)

That the Committee rise and report and beg leave to sit again. (Scully, Chairman). Scully moved that the Committee of the Whole Report be deemed read. Motion carried. Report adopted. (80-13)

REPORTS OF SELECT COMMITTEES

FREE JOINT CONFERENCE COMMITTEE ON HOUSE BILL NO. 190
Report No. 1, April 19, 1979

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 190, met April 18, 1979, and considered:

1. Senate Committee on Labor and Employment Relations amendments to the third reading copy, dated March 21, 1979.

We recommend that:

1. the House accede to the Committee amendment number 1 and the Senate recede from the Committee amendment numbers 2 through 20;

2. House Bill No. 190 be further amended as indicated in CLERICAL INSTRUCTION numbers 1, 2, 4, 7, 23, and 24;

3. the reference (engrossed) copy of House Bill No. 190 read as specified in the CLERICAL INSTRUCTIONS;

4. the Conference Committee Report on House Bill No. 190 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 7.
Following: line 1
Insert: "(4) For the first calendar quarter of 1979 and thereafter, the taxable wage base for each year is the greater of:

(a) 75% of the average annual wage as determined under 39-51-2201(2) (rounded to the nearest $100 not to exceed an increase of $200 over the taxable wage base of the preceding year) during the calendar year immediately preceding the most recently completed calendar year; or

(b) the amount of taxable wage base specified in the Federal Unemployment Tax Act.

(c) notwithstanding (4) the taxable wage base for 1979 shall be $7,400."

2. Page 13, line 25.
Following: "date"
Insert: ", except that a recomputation based on the April 1 trust fund balance will be made each year and, if the recomputed ratio results in an increase of .4% or more, all employer rates will increase .2% beginning July 1 for the remainder of the year"

3. Page 14, line 9.
Following: "X"
Strike: "XI"
Insert: "X"

4. Page 14, line 16.
Following: "Wages"
Strike: "(.0475) (.0425) (.0375) (.0325)"
Insert: "(.0150) (.0145) (.0140) (.0130)"

5. Page 15, line 14.
Following: "Sched."
Strike: "SCHED."

6. Page 15, line 15.
Following: "X"
Strike: "XI"

7. Page 15, lines 16 and 17.
Strike:
"(.0275) (.0225) (.0175) (((....)"
.0125) .0075) (.0025)
Insert:
"(.0120) (.0110) (.0095) (.0075) (.005) (....)"

8. Page 15, line 18.
Following: "3.1"
Strike: "3.3"

9. Page 15, line 21.
Following: "1.9%"
Strike: "2.1%"

10. Page 15, line 22.
Following: "2.2"
Strike: "2.4"

11. Page 15, line 23.
Following: "2.5"
Strike: "2.7"

12. Page 15, line 24.
Following: "2.8"
Strike: "3.0"

13. Page 15, line 25.
Following: "3.1"
Strike: "3.3"

14. Page 16, line 1.
Following: "3.4"
Strike: "3.6"

15. Page 16, line 2.

Following: "3.7"
Strike: "3.9"

16. Page 16, line 5.
Following: "3.9%"
Strike: "4.1%"

17. Page 16, line 8.
Following: "4.0%"
Strike: "4.2%"

18. Page 16, line 9.
Following: "4.2"
Strike: "4.4"

19. Page 16, line 10.
Following: "4.4"
Strike: "4.6"

20. Page 16, line 11.
Following: "4.4"
Strike: "4.6"

21. Page 16, line 12.
Following: "4.4"
Strike: "4.6"

22. Page 16, line 13.
Following: "4.4"
Strike: "4.6"

23. Page 22, line 12.
Following: "through"
Strike: "15"
Insert: "7 and 9 through 16"

24. Page 22, line 14.
Following: "through"
Strike: "15"
Insert: "7 and 9 through 16"

FOR THE HOUSE:

HARPER
WILLIAMS
PORTER

FOR THE SENATE:

LOWE
AKLESTAD
MEHRENS

FREE JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 692
Report No. 1, April 19, 1979

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 692, met April 19, 1979, and considered:

1. Senate Committee on Finance and Claims amendments to the third reading copy, dated April 10, 1979.

We recommend that:

1. the House accede to the Committee amendment number 1;

2. House Bill No. 692 be further amended as indicated in CLERICAL INSTRUCTION numbers 1, 2, and 3;

3. the Conference Committee Report to House BIll No. 692 be adopted.

CLERICAL INSTRUCTIONS:

1. Title, line 8.
Following: "MCA"
Insert: "; PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 2, lines 22 and 23.
Following: "THEREOF"
Strike: remainder of line 22 through "HOSPITALIZATION" on line 23

3. Page 3.
Following: line 9
Insert: "Section 2. Effective date. This act is effective on its passage and approval."

FOR THE HOUSE: FOR THE SENATE:

DUSSAULT HIMSL
JOHNSTON NELSON
LORY REGAN

MESSAGES FROM THE OTHER HOUSE

Conference Committee Report adopted: 4/20/79

Free Conference Committee Report No. 1 on House Bill No. 639

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time and referred to committee:

HB 927, introduced by Fabrega, Tropila, Moore, Meyer, Reichert, Gilligan, Staigmiller, Manning, Hemstad, Rosenthal, Pistoria, O'Connell. Referred to Committee on Appropriations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Teague in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Free CC on HB 190 be adopted. (84-3)

That Free CC on HB 692 be rejected. Motion failed. (24-63)

That the Committee rise and report and beg leave to sit again. (Teague, Chairman). Teague moved that the Committee of the Whole Report be deemed read. Motion carried. Report adopted. (86-4)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Free Conference Committee Report on House Bill No. 416 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Sales, Shelden, Sivertsen, South, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 75

Noes: Burnett, Curtiss, Kropp, Nathe, K. Robbins, Roth, Schultz, Seifert, Smith, Spilker, Staigmiller, Stobie, Thoft, Wyrick.
Total 14

Excused: Ellerd, Lund, Marks, Metcalf.
Total 4

Absent or not voting: Brand, Conroy, Fagg, Hayne, Keedy, Porter, Scully.
Total 7

Free Conference Committee Report on Senate Bill No. 99 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Iverson, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Meyer, Moore, Nathe, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 82

Noes: Gould, Hurwitz, Johnson, Nordtvedt, Oberg, Ramirez, Spilker.
Total 7

Excused: Ellerd, Lund, Marks, Metcalf.
Total 4

Absent or not voting: Brand, Conroy, Fagg, Huennekens, Porter, Scully, Waldron.
Total 7

Free Conference Committee Report on House Bill No. 190 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez,

Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 90

Noes: Daily.
Total 1

Excused: Ellerd, Lund, Marks, Metcalf.
Total 4

Absent or not voting: Brand, Conroy, Fagg, Porter, Scully.
Total 5

Free Conference Committee Report on House Bill No. 692 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Burnett, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kropp, Kvaalen, Lien, Lory, Magone, Manning, Manuel, Menahan, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pistoria, Ramirez, H. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 75

Noes: Bengtson, Cooney, Daily, Gould, Harrington, Kemmis, Kessler, Keyser, McBride, Pavlovich, Porter, Quilici, Reichert, K. Robbins, Stobie, Uhde, Vinger.
Total 17

Excused: Ellerd, Lund, Marks, Metcalf.
Total 4

Absent or not voting: Brand, Conroy, Fagg, Scully.
Total 4

Senate Amendments to House Bill No. 844 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Cooney, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Eudaily, Fabrega, Feda, Frates, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Meyer, Moore, Nordtvedt, Oberg, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 78

Noes: Curtiss, Ellison, Ernst, Gesek, Hayne, Keyser, Nathe, Roth, Schultz, Smith, Stobie, Teague.
Total 12

Excused: Ellerd, Fagg, Lund, Marks, Metcalf.
Total 5

Absent or not voting: Brand, Conroy, O'Connell, Porter, Scully.
Total 5

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 4/20/79

Correctly printed - HB 926.

Correctly enrolled - HB 297, HB 475, HB 568, HB 760, HB 873, HB 915, HR 6.

Examined by the Sponsor and found to be correct - HB 297, HB 475, HB 568, HB 760, HB 873, HB 915, HR 6.

Will be signed by the Speaker on adjournment at 1:00 p.m., 4/20/79 - HB 297, HB 475, HB 568, HB 760, HB 873, HB 915, HR 6.

Signed by the Speaker at 8:45 a.m., 4/20/79 - HB 9, HB 12, HB 84, HB 366, HB 436, HB 537, HB 819, HB 841, HB 851, HB 891, HB 896, HB 921, HJR 58, HJR 66, HJR 67, HJR 68, SB 106, SB 415, SJR 5.

REPORTS OF SELECT COMMITTEES

JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 766
Report No. 1, April 17, 1979

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 766, met on April 17, 1979, and considered:

1. Senate Labor and Employment Relations amendments, dated March 21, 1979, third reading copy; and

2. Senate Committee of the Whole amendments, dated March 26, 1979, third reading copy.

We recommend that:

1. the House accede to the Standing Committee amendment numbers 1, 3 and 4;

2. the Senate recede from the Standing Committee amendment number 2 and Committee of the Whole amendment number 1;

3. the reference copy of House Bill No. 766 read as specified in the CLERICAL INSTRUCTIONS;

4. the Joint Conference Committee Report on House Bill No. 766 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 6, line 1.
Following: "cause"
Insert: "."

2. Page 6, line 2.
Following: line 1
Strike: line 2 in its entirety

FOR THE HOUSE:

HARPER
WILLIAMS

FOR THE SENATE:

LOWE
MEHRENS

PORTER AKLESTAD

MOTIONS

Dussault moved that the Free Conference Committee on HB 483 be dissolved and that the Speaker be authorized to appoint a New Free Conference Committee of three to meet with a like committee from the Senate on HB 483. Motion carried.

UNFINISHED BUSINESS

The Speaker appointed the following New Free Conference Committee of three to meet with a like committee from the Senate on HB 483:

Bardanouve, Chairman
South
Ellis

House at ease at 12:50 p.m.

House reconvened at 2:20 p.m.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 4/20/79

Signed by the Speaker at 1:00 p.m., 4/20/79 - HB 297, HB 475, HB 568, HB 760, HB 873, HB 915, HR 6.

Do Pass

RULES (Dussault, Chairman): 4/20/79
SJR 37, be concurred in. Report adopted.

Adverse Committee Reports

On motion by Huennekens, the Adverse Committee Report on SB 318 was adopted by the following vote: (77-7)

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Conroy, Cooney, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Porter, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Shelden, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 77

Noes: Bertelsen, Brand, Burnett, Hemstad, Johnson, Johnston, Teague.
Total 7

Excused: Ellerd, Fagg, Lund, Marks, Metcalf.
Total 5

Absent or not voting: Azzara, Curtiss, Day, Hirsch, Pavlovich, Pistoria, Quilici, Roth, Scully, Seifert, Sivertsen.
Total 11

On motion by Huennekens, the Adverse Committee Report on SB 354 was adopted by the following vote: (79-9)

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst,

Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Schultz, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 79

Noes: Bertelsen, Brand, Burnett, Hemstad, Hirsch, Johnson, Johnston, K. Robbins, Teague.
Total 9

Excused: Ellerd, Fagg, Lund, Marks, Metcalf.
Total 5

Absent or not voting: Azzara, Bennett, Day, Pavlovich, Sales, Scully, Seifert.
Total 7

MESSAGES FROM THE OTHER HOUSE

The Senate on 4/20/79, acceded to the request of the House of Representatives and appointed a Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 848.

The President appointed the following members:

Senator Severson, Chairman
Senator Manley
Senator Hager

Conference Committee Reports adopted: 4/20/79

Free Conference Committee Report No. 1 on Senate Bill No. 99

Free Conference Committee Report No. 1 on House Bill No. 416

Free Conference Committee Report No. 1 on House Bill No. 692

Free Conference Committee Report No. 1 on House Bill No. 190

The Senate on 4/20/79, acceded to the request of the House of Representatives for the return of Senate Bill No. 347, introduced by Towe, Mathers, Manning, et al, and is returning it to the House for further consideration.

Governor's Amendments to House Bill concurred in and returned to the House: 4/20/79

Governor's Amendments to House Bill No. 842, introduced by Day

The Senate on 4/20/79, appointed a Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 868.

The President appointed the following members:

Senator Lensink, Chairman
Senator O'Hara
Senator Regan

Governor's Amendments to House Bill concurred in and returned to the House: 4/20/79

House Bill No. 868, introduced by Waldron, Regan

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE
ON HOUSE BILL NO. 483
Report No. 2, April 20, 1979

Mr. President and Speaker of the House:

We, your Free Conference Committee on House Bill No. 483, met April 20, 1979, and considered:

1. Senate Committee on Finance and Claims amendments to the third reading copy, dated April 5, 1979; and

2. Senate Committee of the Whole amendments to the gray-working bill as shown in the Senate Journal, dated April 7, 1979.

We recommend that:

1. the House accede to all Senate amendments;

2. the orange reference copy of House Bill No. 483 be amended as specified in the CLERICAL INSTRUCTIONS;

3. the Conference Committee Report to House Bill No. 483 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 2, line 25.
Following: "AN"
Strike: "UNANTICIPATED FUNDING NEED"
Insert: "emergency"

2. Page 5, line 14.
Following: "such contract"
Strike: "shall automatically"
Insert: "may be unilaterally terminated by the state"

Page 5, line 15.
Strike: "terminate"

3. Page 6, line 20.
Following: line 20
Insert: "Section 15. National conference of state legislatures. Agencies may participate in the activities and programs of the national conference of state legislatures within existing appropriations."
Renumber: subsequent sections

4. Page 9, line 9.
Strike: "150,000"
Insert: "125,000"

5. Page 9, line 17.
Strike: "747,745 919,502"
Insert: "809,745 981,502"

6. Page 9, line 19.
Following: line 19
Insert (numbers in general fund columns):
"7. Copying Machine Costs 11,000 11,000"

7. Page 9, line 19.
Following: line 19
Insert (numbers in general fund columns):

"8. Dues - National Conference of State Legislatures
19,180 21,100"

8. Page 10, line 20.
Strike: all of line 20
Insert (numbers in general fund column fiscal 1980):
"Senate 21,000
House 42,000"

"Total Legislature 63,000"

9. Page 10, line 21.
Following: "THE"
Strike: "APPROPRIATION PAYS"
Insert: "appropriations are for the biennium and pay"

10. Page 11, line 8.
Strike: "652,102 695,211"
Insert: "656,911 822,088"

11. Page 11, line 20.
Strike: "1,367,403 1,446,874"
Insert: "1,378,780 1,479,048"

12. Page 12, line 14.
Strike: "617,202 629,358"
Insert: "628,583 640,739"

13. Page 14, line 9.
Strike: "80,931 81,563"
Insert: "83,661 98,225"

14. Page 15, line 5.
Strike: all of lines 5 and 6
Insert: "630,022 10,143,437 1,123,952 10,209,158"

15. Page 15, line 16.
Following: line 16
Insert (numbers in other appropriated funds columns):
"6. Housing of prisoners 44,132 44,881"

16. Page 15, line 16.
Following: line 16
Insert (no numbers in general fund column fiscal 1981):
"7. Legal assistance pool 50,000 85,836 146,909"

17. Page 15, line 16.
Following: line 16
Insert (in other appropriated funds fiscal 1980):
"8. Forensic science laboratory 271,143"

18. Page 15, line 20.
Following: line 20
Insert: "Included within other appropriated funds in item 1 is $40,000 annually received under provisions of House Bill 513, forty-sixth legislature."

19. Page 15, line 20.
Following: line 20
Insert: "Other appropriated funds in item 7 consist of charges to other agencies for utilizing the legal assistance pool. In the amount these charges exceed $85,836 in fiscal 1980, a reversion shall be made to the general fund by January 1, 1981."

20. Page 15, line 20.
Following: line 20
Insert: "The appropriation in item 8 is for the biennium."

21. Page 16, line 15.
Following: "LAW"
Insert: ", including section 19-6-404 and House Bill 403, forty-sixth legislature"

22. Page 18, line 6.
Strike: "27,661,137 28,495,408"
Insert: "27,766,937 28,611,788"

23. Page 22, line 12.
Strike: "3,266,917 3,380,437"
Insert: "3,281,629 3,395,149"

24. Page 23, line 9.
Strike: "222,872 158,647"
Insert: "271,072 208,647"

25. Page 26, line 18.
Strike: "1,212,212 1,215,548"
Insert: "1,219,899 1,225,552"

26. Page 27, line 4.
Following: line 4
Insert: "Included within the general fund appropriations in item 1 are $7,687 and $10,004 in the respective fiscal years for the county compensation board created by Senate Bill 352, forty-sixth legislature."

27. Page 27, line 13.
Following: "STAFF."
Insert: "The appropriation to the coal board for grants may be spent only upon justification of each grant prior to its award to the budget director and the legislative finance committee. Such justification shall be furnished at least four weeks prior to approval of a grant."

28. Page 29, line 14.
Strike: all of lines 14 and 16
Insert: "35,774,454 17,625,385 38,213,161 17,895,047"

29. Page 36, line 13.
Strike: all of lines 13 through 17

30. Page 41, line 3.
Strike: "918,902 1,469,661"
Insert: "1,348,902 2,569,661"

31. Page 41, line 10.
Strike: all of lines 10 and 11

32. Page 41, line 17.
Following: line 17
Insert: "The departments of natural resources and conservation, state lands, and fish and game shall consult with the legislative water resources oversight committee in expending any funds to implement the requirements of Senate Bill 76, forty-sixth legislative session.

Included in other appropriated funds in the biennium in item 4 is $1,430,000 from water rights adjudication fees and $100,000 from

the renewable resource funds allocation under provisions of 15-35-108(g), notwithstanding any other provisions of law."

33. Page 42, line 5.
Strike: all of lines 5 through 8

34. Page 43, line 16.
Following: line 16
Insert (numbers in general fund column fiscal 1980):
"2. Special Audit 200,000"

35. Page 43, line 20.
Following: line 20
Insert: "The appropriation in item 2 funds the audit ordered by the commission in docket no. 6348, order no. 4220C, order paragraph no. 4. The appropriation may be spent only for determining the original cost of Montana Power Company's hydroelectic properties."

36. Page 47, line 23.
Strike: "478,173" and "478,173"
Insert: "560,053" and "560,053"

37. Page 47, line 25.
Strike: "Community"
Insert: "Alcohol and Drug"

38. Page 48, line 1.
Strike: "1,449,945" and "1,562,630"
Insert: "738,942" and "768,087"

39. Page 48, line 21.
Strike: "3,000,000"
Insert (numbers in fiscal 1980):
"2,339,606 1,660,394"

40. Page 49, line 11.
Strike: "Community Alcohol Programs"
Insert: "Alcohol Discretionary Allocation"

41. Page 49, line 14.
Strike: "806,844" and "906,244"
Insert: "382,661" and "404,618"

42. Page 49, line 16.
Following: line 16
Insert: "Alcohol Central Office Administration"
"81,880" "81,880"

43. Page 49, line 23.
Strike: all of lines 23 through 25 and lines 1 through 13, page 50
Insert: "The appropriations in item 7 are for the biennium. Other appropriated funds in item 7 consist of $1,000,000 from account number 06142, bond proceeds and insurance fund, and $660,394 of the renewable resource funds allocation under provisions of 15-35-108(g), notwithstanding any other provision of law. It is the intent of the legislature that these moneys be spent as follows, provided that budget amendments may be made to transfer between line items:

1. Additional 118 beds, state prison	$437,182
2. Halfway home contract, 20 beds	219,000
3. Establish work forest camp, stillwater state forest, 80 beds	

a. Operations	$75,674	
b. Equipment	250,923	
c. Construction	2,156,738	2,483,335
4. Transfer to department of natural resources for equipment and operational costs of the stillwater camp		551,394
5. Contingency for 40 temporary beds in institutional or community setting		309,089
Total additional correctional needs		$4,000,000

The department shall prepare a detailed plan for the expenditure of the appropriation in item 7 which shall be approved by the budget director prior to the expenditure of any funds. All construction plans shall be approved by the department of administration in the same manner as projects appropriated under provisions of House Bill 417, forty-sixth legislature. The department shall advise and consult with the legislative finance committee at least quarterly on the status of these projects."

44. Page 52, line 2.
Strike: all of lines 2 through 5

45. Page 52, line 10.
Strike: all of lines 10 through 12

46. Page 52, line 12.
Following: line 12
Insert: "The department shall implement a realistic rental policy to the end that housing rentals reflect increasing costs to the state."

47. Page 57, line 9.
Strike: all of line 9

48. Page 57, line 10.
Strike: "a."

49. Page 57, line 12.
Strike: "b."

50. Page 57, line 14.
Following: line 14
Insert: "Total Board of Public Education
189,154 3,750 189,807"

51. Page 57, line 14.
Following: line 14
Insert: "The board of public education shall be provided office space free of charge in the building leased by the state and paid from the appropriation to the commissioner of higher education. The fire service training school shall be provided office, classroom, and storage space in the Great Falls vocational-technical center at no charge."

52. Page 57, line 14.
Following: line 14
Insert: "SUPERINTENDENT OF PUBLIC INSTRUCTION, VOCATIONAL TECHNICAL CENTERS"

53. Page 57, line 15.
Strike: "2"
Insert: "1"
Renumber: subsequent items

54. Page 59, lines 9 and 10.
Strike: "Board of Public Education"
Insert: "Vocational-Technical Centers"

55. Page 59, line 11.
Strike: all of lines 11 and 13
Insert: "3,593,896 2,393,059 3,797,131 2,544,072"

56. Page 59, line 14.
Strike: all of lines 14 through 19

57. Page 59, line 20.
Strike: "board of public education"
Insert: "superintendent of public instruction"

58. Page 60, line 22.
Strike: all of lines 22 and 23

59. Page 61, line 11.
Strike: all of lines 11 through 14

60. Page 61, line 18.
Strike: "21,674,000 19,914,000"
Insert: "24,276,875 25,156,875"

61. Page 64, line 13.
Following: line 13
Insert: "All funds appropriated under 15-35-108, section 2 from the coal severance tax shall be used for general statewide library services and not the operational costs of the state library."

62. Page 74, line 6.
Following: line 6
Insert: "Included within the appropriations to the university of Montana are $273,534 and $337,771 in the respective fiscal years which may be used only for expenses related to organized research and may not be used to supplement the instructional budget. The university shall account for these amounts with a unique budget and appropriation number in the state accounting system."

63. Page 80, line 4.
Following: line 4
Insert (numbers in other appropriated funds):
"6. Groundwater and aquifer study 55,000 55,000"

64. Page 80, line 6.
Following: line 6
Insert: "The appropriations in item 6 are from the renewable resource funds allocation under provisions of 15-35-108(g), notwithstanding any other provisions of law."

65. Page 80, line 10.
Strike: "1,034,844 1,187,206"
Insert: "1,016,119 1,167,356"

66. Change all totals to conform.

FOR THE HOUSE:

BARDANOUVE
ELLIS
SOUTH

FOR THE SENATE:

LOCKREM
FASBENDER
STORY

JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 848
Report No. 1, April 20, 1979

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 848, met April 20, 1979, and considered:

1. Senate Committee on Taxation amendments to the third reading copy, dated April 16, 1979.

We recommend that:

1. the Senate recede from Committee amendment numbers 1 through 33;

2. the reference (engrossed) copy of House Bill No. 848 read as specified in the CLERICAL INSTRUCTIONS;

3. the Conference Committee Report to House Bill No. 848 be adopted.

CLERICAL INSTRUCTIONS:

1. Title, line 6.
Following: "~~OF~~"
Insert: "FEE IN LIEU OF"

2. Title, lines 6 and 7.
Strike: "AUTOMOBILES, LIGHT TRUCKS, MOTORCYCLES,"

3. Title, line 8.
Strike: "10-2-301,"

4. Title, line 9.
Following: "15-6-111"
Strike: "15-6-113"

5. Title, line 11.
Following: "~~THROUGH~~"
Insert: "15-8-201, 15-8-202, 23-2-611, 23-2-612, 23-2-616 THROUGH 23-2-618, 23-2-642, 61-3-303, 61-3-317, 61-3-322, 61-3-441, 61-3-442, 61-3-501 THROUGH"

6. Title, line 12.
Following: line 11
Strike: "61-3-502, 61-3-503, AND"

7. Title, line 12.
Following: "~~61-3-509,~~"
Insert: "61-3-509,"

8. Title, line 13.
Following: "~~SECTIONS~~"
Strike: "SECTION"
Insert: "SECTIONS"
Following: "~~15-8-203~~"
Insert: "AND 15-8-203"

9. Title, lines 13 and 14.
Following: "MCA"
Strike: remainder of line 13 through "213" on line 14

10. Page 1, line 24 through line 11 on page 5.

Strike: sections 1 through 4 in their entirety
Insert: (stricken section 1 on page 1)

11. Page 5, lines 12 and 13.
Following: "~~fees~~"
Strike: "PROPERTY TAXES"
Insert: "fees"

12. Page 5, line 14.
Strike: "TAX"
Insert: "fee"

13. Page 6, lines 2 and 3.
Strike: "PROPERTY TAXES"
Insert: "fees"

14. Page 6, line 4.
Strike: "PROPERTY TAX"
Insert: "fee imposed by [section 1]"

15. Page 6, line 5.
Strike: "PROPERTY TAX"
Insert: "fee"

16. Page 6, line 7.
Strike: "PROPERTY TAX"
Insert: "fee imposed by [section 1]"

17. Page 6, line 9.
Strike: "PROPERTY TAX"
Insert: "fee"

18. Page 6, lines 13 and 14.
Strike: "SCHEDULE OF PROPERTY TAX"
Insert: "fee in lieu of tax"

19. Page 6, line 16.
Strike: "THE PROPERTY TAX"
Insert: "There is a fee in lieu of tax on snowmobiles.

(2) The fee"

20. Page 6, lines 17 and 18.
Strike: "PROPERTY TAX"
Insert: "fee"
Renumber: subsequent subsection

21. Page 15.
Following: line 19
Insert: (stricken material, page 6, line 22 through line 9 on page 15)

22. Page 16, lines 10 and 11.
Following: "~~tax~~"
Strike: remainder of lines 10 and 11 in their entirety
Insert: "any other assessment, taxation, or fee in lieu of tax"

23. Page 18, line 7.
Strike: "EXCEPT OF"
Insert: "other than a motor home, travel trailer, or"

24. Page 18, line 12.
Strike: "PROPERTY TAX DUE ON"
Insert: "market value and taxable value of"

25. Page 18, line 16.
Strike: "EXCEPT"
Insert: "other than motor homes, travel trailers, or"

26. Page 19, line 7.
Strike: "PROPERTY LISTED IN [SECTION 2]"
Insert: "a motor home, travel trailer,"

27. Page 20.
Following: line 3
Insert: (stricken material on page 19, line 13 through line 3 on page 20)
Renumber: subsequent sections

28. Page 20, line 14.
Following: "~~other~~"
Insert: "automobiles, motor trucks, and other"

29. Page 20, lines 16 and 17.
Strike: "AUTOMOBILES, MOTORCYCLES, LIGHT TRUCKS,"

30. Page 23, line 3.
Following: "~~tax~~"
Insert: "and the fee in lieu of tax"

31. Page 23, lines 4 and 5.
Strike: lines 4 and 5 in their entirety

32. Page 34, line 20 through line 17 on page 38.
Strike: line 20 on page 34 through line 17 on page 38 in their entirety
Insert: (stricken material on page 23, line 6 through line 19 on page 34)

33. Page 38, line 18.
Strike: "SECTION"
Insert: "Sections"

34. Page 38, line 19.
Strike: ", MCA, IS"
Insert: "and 15-8-203, MCA, are"

35. Page 38, lines 21 and 22.
Strike: "AUTOMOBILES, LIGHT TRUCKS, MOTORCYCLES,"

FOR THE HOUSE:

MENAHAN
QUILICI
SIVERTSEN

FOR THE SENATE:

SEVERSON
MANLEY
HAGER

MOTIONS

Dussault moved that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on HB 868. Motion carried.

Dussault moved that HB 926 be placed on the Second Reading board after the Conference Committee Report on HB 483 this day. Motion carried.

Keedy moved that the House reconsider its action taken in rejecting the Free Conference Committee Report on SB 170 this day, and that the bill be placed on Second Reading this day. Motion carried. (59-33)

UNFINISHED BUSINESS

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on HB 868:

Waldron, Chairman
Dussault
Hemstad

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Teague in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Scully excused at this time.

That SJR 37 be concurred in. (83-5)

That Committee on Taxation Amendments to Senate Bill No. 347, third reading copy, be amended as follows: (84-1)

1. Amendment 5, insertion, section 2.
Following: "Insert:"
Strike: section 2 in its entirety
Insert: "SECTION 2. THERE IS A NEW MCA SECTION THAT READS:

Coal tax oversight subcommittee. (1) There is coal tax oversight subcommittee of the revenue oversight committee for the biennium ending June 30, 1981.

(2) The subcommittee consists of four legislators who are not members of the revenue oversight committee. Two members must be from the senate and two members must be from the house of representatives. No more than two members may be members of the same political party. The subcommittee shall be appointed by the speaker of the house and the senate committee on committees.

(3) The subcommittee may:

(a) review the programs financed by the coal severance tax funds; and

(b) consider any matters relating to coal taxation.

(4) The subcommittee shall elect a chairman and may meet upon the call of that chairman. The subcommittee shall report and make recommendations to the revenue oversight committee."

And as amended, be concurred in. (61-27)

That CC on SA to HB 766 be adopted. (79-9)

That Free CC on HB 483 be rejected. Motion failed. (31-63)

That Free CC on HB 483 be adopted. (65-28)

That the Committee rise and report and beg leave to sit again. (Teague, Chairman). Teague moved that the committee report be deemed read. Motion carried. Report adopted. (78-15)

REPORTS OF SELECT COMMITTEES

FREE JOINT CONFERENCE COMMITTEE ON HOUSE BILL NO. 868
Report No. 1, April 20, 1979

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 868, met April 20, 1979, and considered:

1. Proposed Governor's Amendments to House Bill No. 868, dated April 19, 1979.

We recommend that:

1. the Governor's Amendments to House Bill No. 868 be rejected;

2. House Bill No. 868 be further amended as indicated in CLERICAL INSTRUCTION numbers 1 and 2;

3. the Conference Committee Report to House Bill No. 868 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 1, lines 18 and 19.
Following: "program."
Strike: "One dollar"
Insert: "Sixteen dollars"

2. Page 1, line 21.
Following: "and"
Strike: "$14"
Insert: "$9"

FOR THE HOUSE:

WALDRON
DUSSAULT
HEMSTAD

FOR THE SENATE:

LENSINK
O'HARA
REGAN

FREE JOINT CONFERENCE COMMITTEE ON SENATE BILL NO. 217
Report No. 3, April 20, 1979

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on Senate Bill No. 217, met April 20, 1979, and considered:

1. House Judiciary Committee amendments, dated March 19, 1979, third reading copy.

We recommend that:

1. the Senate accede to the Standing Committee amendment numbers 1 through 56;

2. Senate Bill No. 217, reference bill, be further amended as indicated in CLERICAL INSTRUCTIONS;

3. the Free Joint Conference Committee Report on Senate Bill No. 217 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 3, line 8.
Following: "violated;"
Insert: "and"

2. Page 3, line 10.
Following: "discovered"
Strike: ";"
Insert: "."

3. Page 3, lines 11 through 16.
Strike: subsections (e) and (f) in their entirety

4. Page 4, lines 12 through 14.
Following: "WAS NOT"
Strike: remainder of line 12 through line 14 in their entirety
Insert: "a knowing or grossly negligent act of the officer or official."

5. Page 4, lines 21 and 22.
Following: "law"
Strike: remainder of lines 21 and 22 in their entirety
Insert: "and are determined to be knowing or grossly negligent."

6. Page 5, line 3.
Following: "~~(1)~~"
Insert: "(1)"

7. Page 5, line 4.
Following: "WAS A"
Strike: "SUBSTANTIAL"

8. Page 5, line 5.
Following: "RIGHT"
Strike: ". A"
Insert: ", damages of not less than $500 shall be conclusively presumed. In addition, a"

9. Page 5.
Following: line 10
Insert: "(2) The limitations on damages contained in 2-9-104 and 2-9-105, MCA, concerning suits against the state or any political subdivision shall not apply.

SECTION 6. THERE IS A NEW MCA SECTION THAT READS:

Waiver of sovereign immunity. The state, counties, cities, towns, and all other local governmental entities shall have no immunity from suit for a cause of action under [sections 1 through 17]."
Renumber: subsequent sections

10. Page 7, lines 12 and 13.
Following: "OR"
Strike: "IN A GROSSLY NEGLIGENT MANNER"
Insert: "negligently"

11. Page 8, lines 13 and 14.
Following: "OR"
Strike: "IN A GROSSLY NEGLIGENT MANNER"

Insert: "negligently"

12. Page 8, lines 20 and 21.
Following: "FOR"
Strike: "A PERIOD OF TIME TO BE DETERMINED BY THE COURT"
Insert: "30 days"

13. Page 9, lines 2 through 4.
Strike: lines 2 through 4 in their entirety
Insert: "suspended without pay for 60 days.

(c) Upon the third occurrence, he shall be permanently dismissed."

FOR THE HOUSE:
KEMMIS
RAMIREZ
KEEDY

FOR THE SENATE:
TURNAGE
B. BROWN
VAN VALKENBURG

MESSAGES FROM THE OTHER HOUSE

House Bill concurred in as amended and returned to the House for concurrence in Senate Amendments: 4/19/79

House Bill No. 824, introduced by Day, Bengtson, Nathe, et al

House Joint Resolution concurred in as amended and returned to the House for concurrence in Senate Amendments: 4/20/79

House Joint Resolution No. 65, introduced by Yardley, Bardanouve, Ellis, et al

House Bills concurred in and returned to the House: 4/19/79

House Bill No. 398, introduced by Huennekens, Pistoria, Fabrega

House Bill No. 925, introduced by Leadership of the House and Senate

MOTIONS

Dussault moved that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on HB 824. Motion carried.

UNFINISHED BUSINESS

The Speaker appointed the following Free Conference Committee of three to meet with a like committee from the Senate on HB 824:

Day, Chairman
South
Nathe

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Teague in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Dussault moved that SA to HB 824 be placed at the top of the Second Reading board this day. Motion carried.

That SA to HB 824 be concurred in. Motion failed. (42-46)

That SA to HB 824 be not concurred in. (52-34)

Nordtvedt requested that the Journal reflect him as abstaining from voting on Waldron's amendment to HB 926 due to a conflict of interest.

Harrington moved that the ayes and nays be spread upon the Journal for HB 926. Sufficient seconds arose.

That HB 926, second reading copy, be amended as follows: (74-7)

1. Page 1, line 13.
Strike: "$1.5 million"
Insert: "$722,200"

That HB 926, as amended, do pass. Motion failed to pass by the following vote: (48-48)

Ayes: Azzara, Bengtson, Brand, Conroy, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Eudaily, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hemstad, Holmes, Huennekens, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Lory, McBride, Magone, Manning, Menahan, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Teague, Tropila, Uhde, Vincent, Vinger, Waldron.
Total 48

Noes: Anderson, Baeth, Bardanouve, Bennett, Bertelsen, Burnett, Curtiss, Donaldson, Ellerd, Ellison, Ernst, Fabrega, Fagg, Feda, Gerke, Harper, Hayne, Hirsch, Hurwitz, Iverson, Jensen, Keyser, Kropp, Kvaalen, Lund, Manuel, Marks, Meyer, Moore, Nathe, Ramirez, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Staigmiller, Stobie, Thoft, Underdal, Williams, Wood, Wyrick, Yardley.
Total 48

Paired: Harrington, Manning, Menahan, Pavlovich, Quilici, Ayes; Ellerd, Fagg, Lund, Marks, Underdal, Noes.

Excused: Metcalf, Scully.
Total 2

Absent or not voting: Lien.
Total 1

Abstaining: Nordtvedt.
Total 1

That HB 926, as amended, do not pass. Harrington moved that the ayes and nays be spread upon the Journal for HB 926. Sufficient seconds arose. Whereupon, the do not pass motion on HB 926 failed to pass by the following vote: (47-48)

Ayes: Anderson, Baeth, Bardanouve, Bennett, Bertelsen, Burnett, Curtiss, Donaldson, Ellerd, Ellison, Ernst, Fabrega, Fagg, Feda, Gerke, Harper, Hayne, Hirsch, Hurwitz, Iverson, Jensen, Keyser, Kropp, Kvaalen, Lund, Manuel, Marks, Meyer, Moore, Nathe, Ramirez, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Stobie, Thoft, Underdal, Williams, Wood, Wyrick, Yardley.
Total 47

Noes: Azzara, Bengtson, Brand, Conroy, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Eudaily, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hemstad, Holmes, Huennekens, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Lien, McBride, Magone, Manning, Menahan, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Staigmiller, Teague, Tropila, Uhde, Vincent, Waldron.
Total 48

Paired: Ellerd, Fagg, Lund, Marks, Ramirez, Underdal, Ayes; Harrington, Lien, Manning, Menahan, Pavlovich, Quilici, Noes.

Excused: Metcalf, Scully.
Total 2

Absent or not voting: Lory, Vinger.
Total 2

Abstaining: Nordtvedt.
Total 1

Dussault moved that the House reconsider its action taken in failing to pass HB 926. Motion carried. (55-30)

That HB 926, as amended, do pass. (49-46)

Underdal present at this time.

That Free CC on SB 170 be adopted. (60-19)

That CC on SA to HB 848 be adopted. (59-13)

That Free CC on HB 868 be adopted. (70-3)

Gilligan excused at this time.

That Free CC on SB 217 be adopted. (66-1)

That SA to HB 425 be concurred in. (62-11)

That SA to HB 745 be concurred in. (69-0)

That SA to HJR 65 be concurred in. (69-4)

That the Committee rise and report and beg leave to sit again. (Teague, Chairman). Teague moved that the committee report be deemed read. Motion carried. Report adopted. (63-16)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Dussault moved a Call of the House. Sufficient seconds arose. House at ease at 4:35 p.m. Dussault moved that the Call of the House be removed. Motion carried.

Smith excused at this time.

Nordtvedt requested that he be shown as abstaining on HB 926 due to conflict of interest.

House Bill No. 926 was passed by the following vote:

Ayes: Anderson, Azzara, Bengtson, Brand, Conroy, Cooney, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Eudaily, Frates, Gesek, Gilligan, Gould, Hand, Harrington, Hemstad, Holmes, Huennekens, Johnson,

Johnston, Kanduch, Keedy, Kemmis, Kessler, Lien, Lory, McBride, Magone, Menahan, Metcalf, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Staigmiller, Teague, Tropila, Uhde, Vincent, Waldron.
Total 50

Noes: Baeth, Bardanouve, Bennett, Bertelsen, Burnett, Curtiss, Donaldson, Ellerd, Ellison, Ernst, Fabrega, Fagg, Feda, Harper, Hayne, Hirsch, Hurwitz, Iverson, Jensen, Keyser, Kropp, Kvaalen, Lund, Manuel, Marks, Meyer, Moore, Nathe, Ramirez, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, South, Spilker, Stobie, Thoft, Underdal, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 47

Paired: Daily, Gilligan, Harrington, Johnson, Kanduch, Metcalf, Pavlovich, Ayes; Burnett, Ellerd, Fagg, Kvaalen, Lund, Marks, Smith, Noes.

Excused: Scully.
Total 1

Absent or not voting: Manning.
Total 1

Abstaining: Nordtvedt.
Total 1

Senate Bill No. 347 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Brand, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Eudaily, Fabrega, Feda, Frates, Gesek, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 73

Noes: Conroy, Ernst, Gould, Hayne, Hemstad, Iverson, Kropp, Nathe, Pavlovich, Ramirez, Roth, Schultz, Seifert, Stobie, Underdal, Vinger, Wood, Wyrick.
Total 18

Excused: Ellerd, Fagg, Gilligan, Lund, Marks, Metcalf, Scully, Smith.
Total 8

Absent or not voting: Bertelsen.
Total 1

Senate Joint Resolution No. 37 was concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde,

Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 87

Noes: Brand, Keedy, Nathe, Seifert, Vinger.
Total 5

Excused: Ellerd, Fagg, Gilligan, Lund, Marks, Metcalf, Scully, Smith.
Total 8

Absent or not voting: None.
Total 0

Free Conference Committee Report on House Bill No. 483 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Conroy, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Frates, Gesek, Hand, Harper, Harrington, Hayne, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Moore, Nordtvedt, Oberg, O'Connell, Porter, Ramirez, H. Robbins, Rosenthal, Sales, Schultz, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 71

Noes: Brand, Burnett, Cooney, Curtiss, Daily, Feda, Gould, Hemstad, Menahan, Meyer, Nathe, Pavlovich, Pistoria, Quilici, Reichert, K. Robbins, Roth, Seifert, Tropila, Uhde, Vinger.
Total 21

Excused: Ellerd, Fagg, Gilligan, Lund, Marks, Metcalf, Scully, Smith.
Total 8

Absent or not voting: None.
Total 0

Conference Committee Report on Senate Amendments to House Bill No. 766 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Dassinger, Day, Donaldson, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gould, Hand, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Manuel, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 82

Noes: Brand, Cooney, Daily, Dozier, Harrington, McBride, Magone, Manning, Menahan, Pavlovich.
Total 10

Excused: Ellerd, Fagg, Gilligan, Lund, Marks, Metcalf, Scully, Smith.
Total 8

Absent or not voting: None.

Total 0

Conference Committee Report on Senate Amendments to House Bill No. 848 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Menahan, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Seifert, Shelden, South, Staigmiller, Stobie, Teague, Tropila, Underdal, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 77

Noes: Hayne, Hurwitz, Manuel, Nathe, Roth, Sales, Sivertsen, Spilker, Uhde, Vinger, Wood, Wyrick.
Total 12

Excused: Ellerd, Fagg, Gilligan, Lund, Marks, Metcalf, Scully, Smith.
Total 8

Absent or not voting: Bertelsen, Burnett, Thoft.
Total 3

Free Conference Committee Report on House Bill No. 868 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 88

Noes: Brand, Ellis, Keyser.
Total 3

Excused: Ellerd, Fagg, Gilligan, Lund, Marks, Metcalf, Scully, Smith.
Total 8

Absent or not voting: Bengtson.
Total 1

Free Conference Committee Report on Senate Bill No. 170 was adopted by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gould, Hand, Harper, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Kvaalen, Lien, Lory, McBride, Manuel, Meyer, Moore, Oberg, O'Connell, Pistoria, Porter, Quilici, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen,

South, Spilker, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 69

Noes: Baeth, Brand, Cooney, Donaldson, Ellison, Harrington, Hayne, Hurwitz, Jensen, Keyser, Magone, Manning, Menahan, Nathe, Nordtvedt, Pavlovich, Ramirez, K. Robbins, Seifert, Staigmiller, Uhde, Wyrick.
Total 22

Excused: Ellerd, Fagg, Gilligan, Lund, Marks, Metcalf, Scully, Smith.
Total 8

Absent or not voting: Kropp.
Total 1

Free Conference Committee Report on Senate Bill No. 217 was adopted by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: Brand, Pavlovich, Uhde.
Total 3

Excused: Ellerd, Fagg, Gilligan, Lund, Marks, Metcalf, Scully, Smith.
Total 8

Absent or not voting: None.
Total 0

Senate Amendments to House Bill No. 425 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 80

Noes: Brand, Conroy, Kropp, Nathe, Ramirez, K. Robbins, Seifert, Vinger, Wood, Wyrick.
Total 10

Excused: Ellerd, Fagg, Gilligan, Lund, Marks, Metcalf, Scully, Smith.
Total 8

Absent or not voting: Hayne, Stobie.
Total 2

Senate Amendments to House Bill No. 745 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, McBride, Magone, Manning, Manuel, Menahan, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 89

Noes: None.
Total 0

Excused: Ellerd, Fagg, Gilligan, Lund, Marks, Metcalf, Scully, Smith.
Total 8

Absent or not voting: Keedy, Lien, Rosenthal.
Total 3

Senate Amendments to House Joint Resolution No. 65 were concurred in by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bennett, Bertelsen, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Frates, Gesek, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Meyer, Moore, Nordtvedt, Oberg, O'Connell, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Seifert, Shelden, Sivertsen, South, Spilker, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Yardley, Mr. Speaker.
Total 85

Noes: Brand, Nathe, Pavlovich.
Total 3

Excused: Ellerd, Fagg, Gilligan, Lund, Marks, Metcalf, Scully, Smith.
Total 8

Absent or not voting: Bengtson, Feda, Staigmiller, Wyrick.
Total 4

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 4/20/79

Correctly enrolled - HB 461, HB 646, HB 652, HB 877.

Examined by the Sponsor and found to be correct - HB 461, HB 646, HB 652, HB 877.

Will be signed by the Speaker at 2 p.m., 4/20/79 - SB 142, SB 172, SB 174, SB 181, SB 286, SB 303, SB 306, SJR 38.

Will be signed by the Speaker at 4 p.m., 4/20/79 - HB 461, HB 646, HB 652, HB 877.

Will be signed by the Speaker at 4:30 p.m., 4/20/79 - SB 67, SB 319, SB 358, SB 389, SB 489, SB 504.

Signed by the Speaker at 2 p.m., 4/20/79 - SB 142, SB 172, SB 174, SB 181, SB 286, SB 303, SB 306, SJR 38.

Signed by the Speaker at 4 p.m., 4/20/79 - HB 461, HB 646, HB 652, HB 877.

Delivered to the Governor for his approval at 2:50 p.m., 4/20/79 - HB 9, HB 12, HB 84, HB 248, HB 303, HB 365, HB 366, HB 436, HB 537, HB 819, HB 841, HB 851, HB 891, HB 896, HB 921.

MESSAGES FROM THE OTHER HOUSE

The Senate on 4/20/79, acceded to the request of the House of Representatives and appointed a Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 824.

The President appointed the following members:

Senator Galt, Chairman
Senator Story
Senator Manley

Conference Committee Reports adopted: 4/20/79

Free Conference Committee Report No. 1 on House Bill No. 483

Conference Committee Report No. 1 on House Bill No. 766

Conference Committee Report No. 1 on House Bill No. 848

Free Conference Committee Report No. 3 on Senate Bill No. 170

Free Conference Committee Report No. 1 on House Bill No. 868

Free Conference Committee Report No. 3 on Senate Bill No. 217

House recessed at 4:52 p.m.

Baeth, Gesek excused at this time.

House reconvened at 5:50 p.m.

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 4/20/79
Correctly enrolled - HB 398, HB 761, HJR 51.

Examined by the Sponsor and found to be correct - HB 398, HB 761, HJR 51.

Will be signed by the Speaker at 5:30 p.m., 4/20/79 - HB 398, HB 761, HJR 51.

Delivered to the Governor for his approval at 5:20 p.m., 4/20/79 - HB 297, HB 475, HB 568, HB 760, HB 873, HB 915.

Do Pass

APPROPRIATIONS (Bardanouve, Chairman): 4/20/79
HB 927, do pass. Report adopted.

Adverse Committee Reports

On motion by Moore, the Adverse Committee Report on HJR 70 was adopted by the following vote: (70-7)

Ayes: Anderson, Bardanouve, Bennett, Bertelsen, Cooney, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gould, Harper, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kanduch, Kemmis, Kessler, Keyser, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Reichert, H. Robbins, K. Robbins, Roth, Sales, Schultz, Seifert, Shelden, South, Spilker, Staigmiller, Stobie, Thoft, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.
Total 70

Noes: Hurwitz, Keedy, Kvaalen, Teague, Uhde, Wyrick, Yardley.
Total 7

Excused: Ellerd, Fagg, Gesek, Gilligan, Lund, Marks, Metcalf, Scully, Smith.
Total 9

Absent or not voting: Azzara, Baeth, Bengtson, Brand, Burnett, Conroy, Daily, Hand, Harrington, Kropp, Quilici, Ramirez, Rosenthal, Sivertsen.
Total 14

REPORTS OF SELECT COMMITTEES

FREE JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 649
Report No. 1, April 20, 1979

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 649, met April 20, 1979, and considered:

1. Senate Committee on Taxation amendments to the third reading copy, dated April 17, 1979;

2. Senate Committee on Business and Industry amendments to the third reading copy, dated March 24, 1979; and

3. Senate Committee of the Whole amendments to the third reading copy, dated April 18, 1979.

We recommend that:

1. the House accede to the Taxation Committee amendment numbers 1 through 6 and the Business and Industry amendment numbers 1, 2, and 3;

2. the House accede to Committee of the Whole amendment numbers 1 through 7;

3. House Bill No. 649 be further amended as indicated in CLERICAL INSTRUCTION numbers 2, 3, and 4;

4. the Statement of Intent be further amended as indicated in CLERICAL INSTRUCTION number 1;

5. the Conference Committee Report to House Bill No. 649 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 1, lines 19 through 24.
Strike: lines 19 through 24 in their entirety

2. Page 1, line 25 through line 2 on page 2.
Following: line 24
Strike: line 25 on page 1 through line 2 on page 2 in their entirety
Insert: "not exceeding the equivalent of 7% per year"

3. Page 3, lines 4 through 7.
Following: "part 1"
Strike: remainder of line 4 through "PURPOSES" on line 7
Insert: ". The public service commission shall regulate rates in such a manner that a utility making loans under this section may not make a profit as the result of this section."

4. Page 3.
Following: line 12
Insert: "(4) A utility may not claim a tax credit under this section exceeding $200,000 in any tax year. A financial institution may not claim a tax credit under this section exceeding $2,000 in any tax year."
Renumber: subsequent subsection

FOR THE HOUSE:
KEMMIS
MCBRIDE
FABREGA

FOR THE SENATE:
GOODOVER
B. BROWN
TOWE

FREE JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 824
Report No. 1, April 20, 1979

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 824, met April 20, 1979, and considered:

1. Senate Committee of the Whole amendments to the third reading copy, dated April 19, 1979.

We recommend that:

1. the House accede to Committee of the Whole amendment number 1;

2. House Bill No. 824 be further amended as indicated in CLERICAL INSTRUCTION number 1;

3. the Conference Committee Report to House Bill No. 824 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 4, line 7.
Following: "GRANT"
Strike: "OF $50,000"
Following: "PROJECT"
Insert: "for irrigation system improvements: $50,000 or 33 ⅓% of all funds expended for the irrigation system improvements, whichever is less"

FOR THE HOUSE:
DAY

FOR THE SENATE:
GALT

NATHE
SOUTH

MANLEY
STORY

MOTIONS

Dussault moved that the Select Committee on Prisons be authorized to report to the House members of the Montana Legislature after the Ninetieth Legislative Day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Teague in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 927, introduced bill, be amended as follows: (43-41)

1. Title, line 6.
Following: "GREAT FALLS"
Insert: "; PROVIDING FOR THE USE OF THE PRINCIPAL OF THE LOCAL IMPACT AND EDUCATIONAL TRUST FUND; AMENDING SECTION 90-6-211, MCA"

2. Page 1.
Following: line 18
Insert: "SECTION 2. SECTION 90-6-211, MCA, IS AMENDED TO READ:

'90-6-211. Disposition of interest from unexpended balance. The unexpended balance in the local impact and education trust fund account shall be invested as provided by statute by the board of investments. Of the income from such investments each year 10% shall be added to the principal of the account to be segregated and held in trust for the purposes of supporting the public schools and university systems of the state. Of the remaining 90% of the income from such investments, three-fourths shall be annually paid into the earmarked revenue fund for state equalization aid to public schools of the state and one-fourth each year shall be paid to the board of regents of higher education for use by the institutions of higher learning in the state, subject to the budgeting authority of the legislature. Except as provided in 90-6-205(4), the principal of the local impact and educational trust fund shall be dedicated to education ~~and forever remain inviolate and sacred to this purpose as provided in sections 3 and 10 of Article X of the Montana constitution~~.'"

That HB 927, as amended, do pass. Pistoria moved that the ayes and nays be spread upon the Journal. Sufficient seconds arose. HB 927 was passed by the following vote: (51-43)

Ayes: Azzara, Brand, Conroy, Cooney, Daily, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Gesek, Gilligan, Gould, Hand, Harrington, Hemstad, Holmes, Iverson, Jensen, Johnson, Johnston, Kanduch, Keyser, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Moore, Nordtvedt, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez,

Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Scully, Staigmiller, Tropila, Underdal, Vincent, Waldron.
Total 51

Noes: Anderson, Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Curtiss, Dassinger, Day, Donaldson, Ellison, Feda, Frates, Gerke, Harper, Hayne, Hirsch, Huennekens, Hurwitz, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Nathe, Oberg, Porter, Roth, Sales, Seifert, Shelden, Sivertsen, South, Spilker, Stobie, Teague, Thoft, Uhde, Vinger, Williams, Wood, Wyrick, Yardley.
Total 43

Excused: Baeth, Ellerd, Fagg, Lund, Marks, Smith.
Total 6

Absent or not voting: None.
Total 0

That the Committee rise and report and beg leave to sit again. (Teague, Chairman). Teague moved that the committee report be deemed read. Motion carried. Report adopted. (71-18)

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

House Bill No. 927 was passed by the following vote:

Ayes: Anderson, Azzara, Brand, Conroy, Cooney, Curtiss, Daily, Dozier, Dussault, Ellis, Ernst, Eudaily, Fabrega, Gould, Hand, Harrington, Hemstad, Holmes, Iverson, Jensen, Johnson, Johnston, Kanduch, Keyser, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Meyer, Moore, Nordtvedt, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Schultz, Staigmiller, Teague, Tropila, Underdal, Vincent, Vinger, Waldron.
Total 51

Noes: Bardanouve, Bengtson, Bennett, Bertelsen, Burnett, Dassinger, Day, Donaldson, Ellison, Feda, Frates, Harper, Hayne, Hirsch, Huennekens, Hurwitz, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Nathe, Porter, Roth, Sales, Seifert, Shelden, Sivertsen, South, Spilker, Stobie, Thoft, Uhde, Williams, Wyrick, Yardley, Mr. Speaker.
Total 37

Excused: Baeth, Ellerd, Fagg, Gesek, Gilligan, Lund, Marks, Metcalf, Scully, Smith.
Total 10

Absent or not voting: Oberg, Wood.
Total 2

REPORTS OF SELECT COMMITTEES

JOINT CONFERENCE COMMITTEE ON HOUSE BILL NO. 63
Report No. 1, April 20, 1979

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 63, met April 20, 1979, and considered:

1. Senate Committee on Taxation amendments to the third reading copy, dated March 29, 1979.

We recommend that:

1. the House accede to the Committee amendment numbers 1 through 6;

2. the Statement of Intent be stricken from the bill;

3. House Bill No. 63 be further amended as indicated in CLERICAL INSTRUCTION numbers 1 through 5;

4. the Conference Committee Report to House Bill No. 63 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 1.
Following: line 10
Insert: "Section 1. Purpose. The purpose of this bill is to provide an additional 1 cent per gallon tax on gasoline, diesel fuel, and volatile liquids to raise funds to, firstly, fully fund the accelerated interstate highway construction program; secondly, fully fund the highway patrol costs; and lastly, provide $2 million, if funds are available, to cities and counties for the construction, reconstruction, maintenance, and repair of streets and roads."
Renumber: subsequent sections

2. Page 4, line 1.
Following: "~~$6,500,000~~"
Strike: "$8,500,000"
Insert: "$6,500,000"

3. Page 4, line 8.
Following: "~~$2,950,000~~"
Strike: "$3,250,000"
Insert: "$2,950,000"

4. Page 4, line 21.
Following: "~~$3,550,000~~"
Strike: "$5,250,000"
Insert: "$3,550,000"

5. Page 6.
Following: line 18
Insert: "Section 5. Distribution of revenue generated by additional tax. (1) The estimated revenue to be raised by the tax on gasoline imposed in 15-70-204 and on diesel fuel and volatile liquids imposed in 15-70-321 is:

	Fiscal year 1980	Fiscal year 1981
1st quarter	$17,087,000	$17,292,000
2nd quarter	13,326,000	13,949,000
3rd quarter	12,852,000	13,190,000
4th quarter	12,735,000	13,069,000

(2) The revenue collected each quarter from the additional tax imposed in 15-70-204(3) and 15-70-321(2) will be used as follows:

(a) primarily, for the purpose of matching federal funds available for completion of the federal and interstate system as defined in 32 U.S.C. 103 and spent only after any existing highway construction and maintenance funds currently allocated and scheduled for use have been obligated, as appropriated in HB 483 of the 46th legislature;

(b) secondarily, for the department of justice's highway patrol costs, as appropriated in HB 483 of the 46th legislature; and

(c) thirdly, subject to the limitations imposed in (3) through (5), $2,000,000 for each year is hereby appropriated to cities, towns, and counties for the purposes described in 15-70-101(1) under the formula established in (6) of this section.

(3) If the revenue collected in any quarter from the additional tax is up to $500,000 less than the estimated revenue listed for that quarter in (1), the amount paid to cities, towns, and counties for the purposes described in 15-70-101(1) will be decreased $1 for every dollar by which the revenue collected is less than the estimated revenue for that quarter.

(4) If the revenue collected in any quarter from the additional tax is more than $500,000 less than the estimated revenue listed for that quarter in (1):

(a) no funds from the additional tax shall be paid to cities, towns, and counties for the purposes described in 15-70-101(1);

(b) the department of highways shall inform the governing body of each county, city, and town that no funds from the additional tax will be available for that quarter; and

(c) the amount of money deposited to the credit of the department of justice for the costs of the highway patrol will be decreased $1 for every dollar by which actual revenue collections are $500,000 less than the estimated revenue listed in (1) for that quarter.

(5) If the revenue collected in any quarter from the additional tax exceeds the estimated revenue listed in (1) for that quarter, $1 for each $1 in excess shall be paid to cities, towns, and counties for the purposes described in 15-70-101(1) under the provisions of (6) of this section.

(6) Any money collected from the additional tax and paid to the cities, towns, and counties in Montana for construction, reconstruction, maintenance, and repair of rural roads and city or town streets and alleys shall be divided 65% for cities and towns and 35% to counties and allocated among the cities and towns and among the counties by the method provided in subsections (1)(a)(i) and (ii) and (1)(b)(i) and (ii) of 15-70-101.

Section 6. Effective date of sections 1 and 4. Sections 1 and 4 are effective for fiscal years 1980 and 1981 only."

FOR THE HOUSE:

DASSINGER
HUENNEKENS
SIVERTSEN

FOR THE SENATE:

TOWE
GOODOVER
LOCKREM

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Teague in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Free CC on HB 649 be adopted. (67-11)

That Free CC on HB 824 be adopted. (78-3)

That CC on SA to HB 63 be adopted. (57-31)

That the Committee rise and report. (Teague, Chairman). Teague moved that the committee report be deemed read. Motion carried. Report adopted. (77-13)

REPORTS OF STANDING COMMITTEES

BILLS (Metcalf, Chairman): 4/20/79
Correctly enrolled - HB 916, HB 925.

Examined by the Sponsor and found to be correct - HB 916, HB 925.

Will be signed by the Speaker at 6:40 p.m., 4/20/79 - HB 916, HB 925.

Signed by the Speaker, 4/20/79 - HB 398, HB 761, HB 916, HB 925, HJR 51, SB 67, SB 319, SB 358, SB 389, SB 489, SB 504.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Free Conference Committee Report on House Bill No. 649 was adopted by the following vote:

Ayes: Anderson, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning, Manuel, Menahan, Meyer, Moore, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, South, Spilker, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 85

Noes: K. Robbins, Seifert, Staigmiller, Thoft.
Total 4

Excused: Baeth, Ellerd, Fagg, Gesek, Gilligan, Lund, Marks, Metcalf, Scully, Smith.
Total 10

Absent or not voting: Waldron.
Total 1

Free Conference Committee Report on House Bill No. 824 was adopted by the following vote:

Ayes: Anderson, Azzara, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, McBride, Magone, Manning,

Manuel, Menahan, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Shelden, Sivertsen, South, Spilker, Staigmiller, Stobie, Teague, Thoft, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.
Total 84

Noes: Moore, Seifert, Yardley.
Total 3

Excused: Baeth, Ellerd, Fagg, Gesek, Gilligan, Lund, Marks, Metcalf, Scully, Smith.
Total 10

Absent or not voting: Bardanouve, Frates, Porter.
Total 3

Conference Committee Report on Senate Amendments to House Bill No. 63 was adopted by the following vote:

Ayes: Anderson, Azzara, Bengtson, Bertelsen, Curtiss, Dassinger, Day, Donaldson, Dozier, Dussault, Ellis, Ellison, Ernst, Eudaily, Feda, Frates, Hand, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lory, Magone, Manning, Manuel, Meyer, Nordtvedt, Oberg, Pavlovich, Porter, Ramirez, Reichert, H. Robbins, Sales, Schultz, Shelden, Sivertsen, South, Spilker, Stobie, Teague, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.
Total 61

Noes: Bardanouve, Bennett, Brand, Burnett, Conroy, Cooney, Daily, Fabrega, Gould, Harper, Hurwitz, Iverson, Johnson, Lien, McBride, Menahan, Moore, Nathe, O'Connell, Pistoria, K. Robbins, Rosenthal, Roth, Seifert, Staigmiller, Thoft, Tropila, Uhde.
Total 28

Excused: Baeth, Ellerd, Fagg, Gesek, Gilligan, Lund, Marks, Metcalf, Scully, Smith.
Total 10

Absent or not voting: Quilici.
Total 1

MOTIONS

Dussault moved that, for the purpose of the Forty-sixth Legislative Assembly, any bill that has passed both houses of the Legislature by the Ninetieth Day may be enrolled, clerically corrected by the presiding officers and delivered to the Governor not later than 5 days thereafter. Motion carried. (84-4)

Dussault moved that the Speaker be authorized to appoint a five-member committee to inform the Senate that the House is prepared to adjourn sine die. Motion carried. The Speaker appointed: Harrington, Rosenthal, Dozier, Bennett, Ellis.

Dussault moved that the Speaker be authorized to appoint a five-member committee to inform the Governor that the House is prepared to adjourn sine die. Motion carried. The Speaker appointed: Quilici, Kessler, Bertelsen, Porter, H. Robbins.

Dussault moved that the Speaker be authorized to appoint a five-member committee to inform the Justices of the Montana Supreme Court

that the House is prepared to adjourn sine die. Motion carried. The Speaker appointed: Kemmis, Reichert, McBride, Hayne, Wyrick.

REPORTS OF SELECT COMMITTEES

A committee from the Senate composed of Senators Lockrem, Hager, Ryan, Fasbender were escorted into the House Chamber by the Sergeant-at-Arms. They informed the House that the Senate was ready to adjourn sine die and that the President of the Senate wished them a most speedy and safe journey home.

The Speaker thanked the Senate Committee.

UNFINISHED BUSINESS

Mrs. Martha McGee 4/20/79
Chief Clerk
House of Representatives

Dear Mrs. McGee:

I have this day appointed the following Representatives to the Revenue Oversight Committee:

Representative Herb Huennekens

Representative Dan Harrington

Representative E. N. Dassinger

Representative Jay Fabrega

Representative Robert Sivertsen

Representative W. F. Bennett

Sincerely,

Harold E. Gerke
Speaker

Mrs. Martha McGee 4/20/79
Chief Clerk
House of Representatives

Dear Mrs. McGee:

I have this day appointed the following Representatives to the Committee on Indian Legal Jurisdiction:

Representative Tom Conroy

Representative Mel Williams

Representative Carl Seifert

Representative Dennis Iverson

Sincerely,

Harold E. Gerke
Speaker

MESSAGES FROM THE OTHER HOUSE

Conference Committee Reports adopted: 4/20/79

Free Conference Committee Report No. 1 on House Bill No. 649

Free Conference Committee Report No. 1 on House Bill No. 824

Joint Conference Committee Report No. 1 on House Bill No. 63

House Amendments to Senate Bill concurred in: 4/20/79

House Amendments to Senate Bill No. 347, introduced by Towe, et al

REPORTS OF SELECT COMMITTEES

The committee appointed to inform the Senate was escorted to the rostrum by the Sergeant-at-Arms. They informed the House that they had informed the Senate that the House was ready to adjourn sine die and the Senate thanked them for their cooperation and wished them the best of luck. The Speaker then thanked the committee and discharged the members.

The committee appointed to inform the Governor was escorted to the rostrum by the Sergeant-at-Arms. They informed the House that they had informed the Governor that the House was ready to adjourn sine die and the Governor stated that he thought they had done an exceptional job and wished them all God Speed home. The Speaker thanked the committee and discharged the members.

The committee appointed to inform the Supreme Court Justices was escorted to the rostrum by the Sergeant-at-Arms. They informed the House that they had found no one in the Supreme Court to receive their message, so they left a note and expect to hear from them in the interim. The Speaker thanked the committee and discharged them.

The Speaker asked Representative Seifert to lead the House members in singing Auld Lang Syne. The Speaker thanked the House members for their cooperation during the session and wished them a good summer.

Dussault moved that the House of Representatives of the Forty-sixth Legislative Assembly adjourn sine die.

Motion carried.

House adjourned at 7:37 p.m.

HAROLD E. GERKE, Speaker

MARTHA B. McGEE, Chief Clerk

ADDENDUM
TO
HOUSE JOURNAL
FORTY-SIXTH LEGISLATURE

By motion duly carried on the Ninetieth Legislative Day, this Addendum to the House Journal reports action on bills following adjournment, Sine Die.

REPORTS OF STANDING COMMITTEES

Correctly enrolled, 4/24/79 - HB 190, HB 416, HB 417, HB 425, HB 649, HB 692, HB 745, HB 766, HB 824, HB 842, HB 844, HB 868, HB 883, HJR 65.

Correctly enrolled, 4/25/79 - HB 63, HB 432, HB 483, HB 639, HB 848.

Examined and found to be correct, 4/25/79 - HB 63, HB 190, HB 416, HB 417, HB 425, HB 432, HB 483, HB 639, HB 649, HB 692, HB 745, HB 766, HB 824, HB 842, HB 844, HB 848, HB 868, HB 883, HJR 65.

Will be signed by the Speaker, 4/25/79 - HB 63, HB 190, HB 416, HB 417, HB 425, HB 432, HB 483, HB 639, HB 649, HB 692, HB 745, HB 766, HB 824, HB 842, HB 844, HB 848, HB 868, HB 883, HJR 65, SB 78, SB 250, SB 401.

Signed by the Speaker at 11:25 a.m., 4/25/79 - HB 398, HB 461, HB 646, HB 652, HB 761, HB 877, HB 916, HB 925.

Signed by the Speaker at 1:45 p.m., 4/25/79 - HB 63, HB 190, HB 416, HB 417, HB 425, HB 432, HB 483, HB 639, HB 649, HB 692, HB 745, HB 766, HB 824, HB 842, HB 844, HB 848, HB 868, HB 883, HJR 65, SB 78, SB 250, SB 401.

MESSAGES FROM THE GOVERNOR

The Honorable Harold Gerke 4/21/79
Speaker, House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that I have signed the following measure this date:

House Bill No. 896.

Sincerely,

Thomas L. Judge
Governor

The Honorable Harold Gerke 5/7/79
Speaker, House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that I have signed the following measure this date:

House Bill No. 508.

Sincerely,

Thomas L. Judge
Governor

The Honorable William Mathers 5/7/79
President of the Senate
State Capitol
Helena, Montana 59601

Dear Mr. President:

This is to inform you that I have signed the following measures this date:

Senate Bill Nos. 50, 71, 75, 78, 106, 170, 172, 174, 177, 181, 220, 221, 234, 235, 284, 303, 306, 319, 347, 351, 358, 370, 384, 401, 415, 429, 459, 492, 504, 521, and 524.

Sincerely,

Thomas L. Judge
Governor

The Honorable Harold Gerke 5/7/79
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear Speaker Gerke:

This is to inform you that I signed House Bill No. 819 into law on Friday, April 20, 1979, pursuant to our letter to the Honorable Frank Murray of the same date.

Sincerely,

Thomas L. Judge
Governor

The Honorable Harold Gerke 5/7/79
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that I have signed the following measures this date:

House Bill Nos. 9, 63, 84, 150, 248, 269, 273, 282, 284, 297, 299, 356, 365, 366, 386, 410, 416, 425, 432, 436, 442, 461, 475, 507, 534, 537, 550, 568, 594, 845, 873, and 915.

Sincerely,

Thomas L. Judge
Governor

The Honorable Harold Gerke 5/8/79
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear Speaker Gerke:

This is to inform you that I have signed the following measures this date:

House Bill Nos. 116, 418, 639, 646, 647, 649, 669, 678, 682, 754, 759, 760, 761, 768, 770, 807, 824, 841, 851, 868, 883, 890, 891, 894, 895, 897, 900, 903, 905, 910, 913, 916, 919, 921 and 923.

Sincerely,

Thomas L. Judge
Governor

The Honorable William Mathers 5/8/79
President of the Senate
State Capitol
Helena, Montana 59601

Dear President Mathers:

This is to inform you that I have signed the following measures this date:

Senate Bill Nos. 325 and 523.

Sincerely,

Thomas L. Judge
Governor

The Honorable William Mathers 5/9/79
President of the Senate
State Capitol
Helena, Montana 59601

Dear President Mathers:

This is to inform you that I have signed the following measures this date:

Senate Bill Nos. 286 and 489.

Sincerely,

Thomas L. Judge
Governor

The Honorable Harold Gerke 5/9/79
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear Speaker Gerke:

This is to inform you that I have signed the following measures this date:

House Bill Nos. 190, 643, 652, 766 and 842.

Sincerely,

Thomas L. Judge
Governor

The Honorable William Mathers 5/11/79
President of the Senate
State Capitol
Helena, Montana 59601

Dear President Mathers:

This is to inform you that I have signed the following measure this date:

Senate Bill No. 67.

Sincerely,

Thomas L. Judge
Governor

The Honorable Harold Gerke 5/11/79
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear Speaker Gerke:

This is to inform you that I have signed the following measures this date:

House Bill Nos. 213 and 427.

Sincerely,

Thomas L. Judge
Governor

The Honorable William Mathers 5/11/79
President, Montana State Senate
State Capitol
Helena, Montana 59601

Dear Mr. President:

This is to inform you that I have signed the following measure this date:

Senate Bill No. 76.

Sincerely,

Thomas L. Judge
Governor

The Honorable William Mathers 5/11/79
President of the Senate
State Capitol
Helena, Montana 59601

Dear President Mathers:

This is to inform you that I have signed the following measure this date:

Senate Bill No. 463.

Sincerely,

Thomas L. Judge
Governor

The Honorable Harold Gerke
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

5/11/79

Dear Speaker Gerke:

This is to inform you that I have signed the following measure this date:

House Bill No. 830.

Sincerely,

Thomas L. Judge
Governor

The Honorable Harold Gerke
Speaker, House of Representatives
State Capitol
Helena, Montana 59601

5/11/79

Dear Mr. Speaker:

This is to inform you that I have signed the following measure this date:

House Bill No. 925.

Sincerely,

Thomas L. Judge
Governor

The Honorable William Mathers
President of the Senate
State Capitol
Helena, Montana 59601

5/14/79

The Honorable Harold Gerke
Speaker of the House
State Capitol
Helena, Montana 59601

Dear President Mathers and Speaker Gerke:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill No. 303, "AN ACT TO REVISE THE INCOME TAX STRUCTURE BY REQUIRING THAT THE TAX BRACKETS, EXEMPTIONS, STANDARD DEDUCTIONS, AND MINIMUM FILING REQUIREMENTS BE ADJUSTED ANNUALLY FOR INFLATION; AMENDING SECTIONS 15-30-101, 15-30-103, 15-30-112, 15-30-122, AND 15-30-142, MCA; AND PROVIDING A DELAYED APPLICABILITY DATE."

House Bill 303 is a bill designed to control the effects of inflation upon Montana's income tax structure. While the goal of this bill is praiseworthy, its application to Montana's tax structure causes serious problems with both revenues for state government and compatibility with other bills enacted during the legislative session.

During its passage through the legislative process, the fiscal impact of House Bill 303 for the 1980-81 biennium was estimated to be a $900,000 loss in revenue. The estimate was based on the $650 personal exemption which has been part of Montana tax law for many years. Subsequently, the

compromise tax relief package embodied in House Bill 925 was passed, raising the personal exemption to $800. The changes which House Bill 925 makes in our tax system are now in effect. This means that, if House Bill 303 were to become law, increases in the personal exemption will be based on at least $800 rather than $650 which causes a substantial increase in the fiscal impact. It is estimated that the loss in revenue from House Bill 303, as compounded by the effect of House Bill 925 would be $2 million during the 80-81 biennium. The order in which the two bills passed strongly suggests that the hidden fiscal impact resulting from the compounding of the two relief measures is well beyond what members of the legislature contemplated.

House Bill 925 passed during the session provides that any surplus revenues which become available to the state during this biennium will be returned to the taxpayer by raising the personal exemption. This is a far more simple and direct form of tax relief than the complex formula provided in House Bill 303. The complex compliance burdens imposed on taxpayers by our voluntary reporting system are already quite heavy. I am hesitant to impose the additional complexities of House Bill 303 upon Montana's taxpayers when similar results can be obtained by simple adjustments to the amount of the personal exemption similar to those achieved by House Bill 925.

In addition, I am concerned that the concept contained in House Bill 303 is an unsubstantiated concept in its practical application to a state's income tax structure. Although it is in existence in four states, its history has not been established to the point that a consensus is available as to whether the concept is good or bad. I am hesitant to see the State of Montana embark upon an uncharted course of taxation during these times of economic fluctuation.

I note that House Bill No. 303 will not be effective until the tax year beginning in 1981. Therefore, Montanans will not receive any tax relief under this bill until the next Legislature is in session. At that time the Legislature will have the benefit of the experience of the other states who are now experimenting with this concept and will have a better understanding of the prevailing economic conditions of Montana at that time.

For these reasons, I veto House Bill No. 303.

Sincerely,

Thomas L. Judge
Governor

The Honorable William Mathers
President of the Senate
State Capitol
Helena, Montana 59601

5/14/79

The Honorable Harold Gerke
Speaker of the House
State Capitol
Helena, Montana 59601

Dear President Mathers and Speaker Gerke:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill No. 12, "AN ACT TO INSURE APPROPRIATE, ECONOMICAL, AND EFFICIENT USE OF ATTORNEYS BY THE EXECUTIVE BRANCH;

TO PROVIDE A LEGAL ASSISTANCE PROGRAM IN THE OFFICE OF THE ATTORNEY GENERAL; AND TO CREATE A LEGAL SERVICES REVIEW BOARD."

I am unable to approve House Bill No. 12 providing for a legal assistance program. The bill states that it is intended to "create a pool of highly competent full-time staff attorneys within the office of the Attorney General to be the 'law firm' of first resort for any legal services needed beyond the capacity of the ability of state executive agencies." According to the fiscal note accompanying the bill it was contemplated that during the 1980-81 biennium the pool would consist of five attorneys and two clerical personnel at a total cost of $334,844. The fiscal note assumed the pool would support itself by charging agencies using its services at $25 per hour. Additionally, the Legal Services Review Board which was also created by House Bill No. 12, would cost an additional $55,658 over the biennium for a total cost of $446,160. The fiscal note indicated no reliable estimate could be made of any savings by enactment of this measure.

The attorneys in the pool are subject to the state's classification and pay plan, which thereby limits the state's capacity to pay the salaries necessary to attract attorneys with the experience and expertise required to adequately represent the State, particularly in major cases where the State's exposure is the greatest. These include personal injury and damage claims, water rights, taxation, Indian jurisdiction matters, protection of our natural resources, all of which involve millions of dollars of exposure to the State of Montana. Many of these suits are the result of the fact that by reason of the 1972 Constitution the state has lost its immunity to suit.

Because of the limitation on the state's ability to pay full-time attorneys, in all likelihood the state will continue to be able to attract only recent graduates with limited experience in the practice of law and particularly in the trial of cases. It is quite possible, therefore that the state could end up paying out vast sums of money in judgments while these relatively inexperienced attorneys learn their craft.

Some of my department heads have expressed their deep concern about this legislation and have indicated their reluctance to utilize the services of pool attorneys in major cases.

In an effort to get better control of private retained counsel on November 6, 1978, I issued Executive Order No. 15-78 which requires all executive branch agencies to submit requests to engage private legal counsel to the Legal Service Review Committee. The committee is composed of the Governor's legal counsel, the Budget Director and the Attorney General's representative. The only requests for outside counsel that can be approved must meet strict criteria. All existing retainers of private legal counsel as well as new requests will periodically be reviewed by the Committee to insure that the State is adequately represented at the lowest possible cost. The Legal Services Review Committee's composition and functions are almost identical to those provided in House Bill 12.

Seeing no savings to be derived from the legal service provisions in this measure and not wishing to limit the State's capacity to be represented by attorneys having the experience and expertise equal to those practicing against the State, I am unable to approve this measure.

I believe the Legal Services Review Committee will continue to carefully review agency requests for utilization of private counsel needed by the State on a case by case basis. At the same time agencies will be encouraged to utilize their own full-time staff counsel and the Attorney General's staff to the maximum extent.

For these reasons I veto House Bill No. 12.

Sincerely,

Thomas L. Judge
Governor

The Honorable Harold Gerke 5/14/79
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear Speaker Gerke:

This is to inform you that I have signed the following measures this date:

House Bill Nos. 398, 417, 483, 692, 745, 775, 796, 844, 848 and 877.

Sincerely,

Thomas L. Judge
Governor

The Honorable William Mathers 5/14/79
President of the Senate
State Capitol
Helena, Montana 59601

The Honorable Harold Gerke
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear President Mathers and Speaker Gerke:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto Senate Bill No. 217, "AN ACT TO PROVIDE A REMEDY UNDER STATE LAW IN THE FORM OF A CAUSE OF ACTION FOR DAMAGES WHEN THERE HAS BEEN A SUBSTANTIAL VIOLATION OF RIGHTS PROTECTED BY THE FOURTH AMENDMENT OF THE CONSTITUTION OF THE UNITED STATES; ARTICLE II, SECTIONS 10 OR 11, OF THE MONTANA CONSTITUTION; OR THE LAWS OF MONTANA RELATING TO SEARCH AND SEIZURE AND TO REVISE THE EXCLUSIONARY RULE, RELATING TO THE EXCLUSION FROM CRIMINAL PROSECUTION OF OTHERWISE ADMISSIBLE EVIDENCE; TO PROVIDE FOR THE DISCIPLINE OF OFFICIALS CAUSING VIOLATIONS OF RIGHTS; TO CLARIFY THAT CRIMINAL LIABILITY IS NOT AFFECTED; TO AMEND SECTIONS 46-5-104 AND 46-13-302, MCA."

When Senate Bill No. 217 was introduced it was supported by virtually all segments of law enforcement. They were quite rightly concerned about the situation where the criminal goes free because the policeman made a mistake. Since passage of the bill, because of the way it was changed, the Montana Peace Officers' Association, the Montana County Attorney's Association, and many individual law enforcement officers have asked me to veto the bill.

As passed by the Legislature, only evidence secured from a search which was determined to be a "non-substantial" violation of the Fourth Amendment would be admissible in court proceedings. Courts would have to

determine what is "substantial" and what is "non-substantial". Law enforcement personnel would be subject to civil damages and suspension from employment if it was later determined they acted "knowingly" to cause a "substantial" fourth amendment violation. Many law enforcement officials who have discussed this bill with me say that the lack of clear standards would discourage them from conducting many of the searches which they do now.

Senate Bill No. 217 was extensively amended in its course through the legislature and was the subject of three separate conference committees. In its final, compromised form, the bill is confusing and contradictory; is now opposed by many of the people who originally supported it; stands little chance of being approved in the courts; and may well leave a number of cases in suspension while it is being tested in the United States Supreme Court.

For these reasons, I veto Senate Bill No. 217.

Sincerely,

Thomas L. Judge
Governor

The Honorable William Mathers 5/14/79
President of the Senate
State Capitol
Helena, Montana 59601

Dear President Mathers:

This is to inform you that I have signed the following measures this date:

Senate Bill Nos. 99, 182, 250, 389, 412, 497 and 508.

Sincerely,

Thomas L. Judge
Governor

The Honorable William Mathers 5/14/79
President of the Senate
State Capitol
Helena, Montana 59601

The Honorable Harold Gerke
Speaker of the House
State Capitol
Helena, Montana 59601

Dear President Mathers and Speaker Gerke:

In accordance with the power vested in me as Governor pursuant to the laws and the Constitution of the State of Montana, I hereby veto Senate Bill No. 142, "AN ACT TO LIMIT THE VALUE ON MOST RESIDENTIAL, INDUSTRIAL, AND COMMERCIAL PROPERTY TO 5% OF ITS CURRENT YEAR TRUE MARKET VALUE; AND PROVIDING AN EFFECTIVE DATE."

Senate Bill No. 142 was presented to the Legislature as a limitation on property assessments which would have no immediate effect on local government revenues. It now appears that there would be a 42% reduction in

revenues from mobile homes caused by the 5% limitation together with confusion as to what the bill really means.

This legislation would not reduce assessments on most real property since its taxable value is less than 5% of current value. Moreover, taxable value will not reach this limit in the foreseeable future. Thus, for most people the bill holds an empty promise of relief. However, because of the effect on mobile homes, local tax bases will be eroded and mill levies will necessarily rise, shifting the tax burden to other kinds of property. The tax relief implied, turns out to be a tax increase for the majority.

The sponsor of Senate Bill No. 142, numerous legislators who voted for it, a broad cross section of county commissioners, mayors, local officials and school boards, have now asked for my veto. While I continue to support the concept of property tax limitation, I am convinced that this bill is not the proper vehicle for it. It will cause immediate dislocations in local government budgets; administrative entanglements in revising assessments already made; and foster litigation to clarify its effects.

For these reasons, I veto Senate Bill No. 142.

Sincerely,

Thomas L. Judge
Governor

MESSAGES FROM THE OTHER HOUSE

House Bill No. 926, introduced by Daily, Pavlovich, Menahan, Kanduch, Harrington, et al, requiring a suspension of the rules to be considered by the Senate, failed to do so on Order of Business No. 6, on 4/20/79, and the bill is returned to the House.

House Bill No. 927, requiring a suspension of the rules to be considered by the Senate, failed to do so on Order of Business No. 6, on 4/20/79. Senator Ryan moved that the rules be temporarily suspended so that the Senate could accept House Bill No. 927 from the House of Representatives. The motion requiring a two-thirds vote, failed by the following roll call vote:

YEAS - 24
NAYS - 23

2216 4568

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